

# **GOULD EXHIBIT**

## **“C”**



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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RONALD BRITT,

4

Plaintiff,

5

- against -

Index No.  
13 CV 8289

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THERMALD REALTY I, LP d/b/a REALTY  
ASSOCIATES I, LP and WAVECREST  
MANAGEMENT TEAM, LTD d/b/a WAVECREST  
MANAGEMENT GROUP, LLC and WAVECREST  
EQUITIES, LLC, and DOREEN ALDERMAN,

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Defendants.

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EXAMINATION BEFORE TRIAL of the Defendant,

13

DOREEN ALDERMAN, taken pursuant to Notice, held

14

at the law offices of Gould & Berg, LLP, 222

15

Bloomington Road, White Plains, New York

16

10605, on July 18, 2014, commencing at

17

10:05 a.m., before IRIS FERNHOFF, a Shorthand

18

Reporter and Notary Public within and for the

19

State of New York.

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2 A P P E A R A N C E S:

3

4 KOERNER LAW FIRM  
Attorney for Plaintiff  
5 111 John Street, Suite 420  
New York, New York 10038

6

BY: GREGORY KOERNER, ESQ.

7

8

KAUFMAN DOLOWICH VOLUCK, ESQS.  
9 Attorneys for Defendants  
Wavecrest Management Team, LTD.  
10 d/b/a Wavecrest Management Group, LLC  
and Wavecrest Equities, LLC  
11 135 Crossways Park Drive, Suite 201  
Woodbury, New York 11797

12

BY: JEFFREY ETTENGER, ESQ.

13

14

GOULD & BERG, LLP  
15 Attorneys for Defendants  
Thermal Realty Associates I, LP  
16 d/b/a Realty Associates I, LP  
and Doreen Alderman  
17 222 Bloomingdale Road  
White Plains, New York 10605

18

BY: JANE BILUS GOULD, ESQ.

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20

ALSO PRESENT:

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Ronald Britt - Plaintiff  
22 Luis Rodriguez - Intern

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STIPULATIONS

IT IS HEREBY STIPULATED AND AGREED by  
and between the attorneys for the respective  
parties herein that the filing, sealing and  
certification of the within deposition be  
waived.

That such deposition may be signed  
and sworn to before any officer authorized to  
administer an oath with the same force and  
effect as if signed and sworn to before the  
officer before whom said deposition was taken.

IT IS FURTHER STIPULATED AND AGREED that  
all objections except as to form are reserved  
for the time of trial.

1 D. Alderman

2 D O R E E N A L D E R M A N, having been  
3 first duly sworn by a Notary Public within and  
4 for the State of New York, was examined and  
5 testified under oath as follows:

6

7 EXAMINATION BY

8 MR. KOERNER:

9 Q State your name for the record.

10 A Doreen Alderman.

11 Q State your address for the record.

12 A 1816 Hillcrest Avenue, Glendale,  
13 California 91202.

14 Q Good morning, Miss Alderman. My  
15 name is Greg Koerner. I represent the  
16 plaintiff in this case, Ronald Britt, who is in  
17 the room today.

18 We're going to have a deposition  
19 today and I'm going to be asking you questions.  
20 The court reporter is going to be taking down  
21 my questions and your answers.

22 The same instructions that were  
23 given at the prior depositions in this case  
24 will apply here.

25 And so I'll ask you initially:

1 D. Alderman

2 Were you in attendance at the prior depositions  
3 in this case namely of Ron Britt, Jay Yablonsky  
4 and the two nonparty witnesses?

5 A Yes.

6 Q And you understand the  
7 instructions that were given in those  
8 depositions?

9 A Yes.

10 Q They all apply here. If you need  
11 a break, if you need to consult with counsel,  
12 you can.

13 Other than Doreen Alderman, have  
14 you ever been known by any other names?

15 A Skinner. Mrs. Skinner,  
16 S-K-I-N-N-E-R.

17 Q And was that the last name of your  
18 second husband?

19 A Yes.

20 Q No other names?

21 A No.

22 Q And how old are you?

23 A Fifty-seven.

24 Q What is your date of birth?

25 A 9/11/56.

1 D. Alderman

2 Q And where were you born?

3 A Flushing, New York.

4 Q And the current address of yours  
5 in California, is that the only home you own?

6 A I also have an apartment.

7 Q In New York City?

8 A Yes.

9 Q The home in California, do you own  
10 it or rent it?

11 A Own it.

12 Q Is there any mortgage on it?

13 A No.

14 Q What's the approximate value of  
15 that home?

16 A I'm not really sure actually  
17 because I've been there since 1988.

18 Q Estimate?

19 A Maybe nine hundred thousand.

20 Q And how many rooms?

21 A I think seven.

22 Q Swimming pool?

23 A Exercise pool.

24 Q And your apartment in New York,  
25 what's the address of that apartment?

1 D. Alderman

2 A 91 East 3rd Street, Apartment  
3 number 2.

4 Q Do you own that building?

5 A Yes.

6 Q And do you own other buildings in  
7 New York City as well?

8 A Yes.

9 Q What are all the other buildings  
10 that you own in New York City, please?

11 MS. BILUS-GOULD: Objection to the  
12 form of the question in the use of the  
13 word "you." But you can proceed.

14 A 415 East 9th Street, 319 East 9th  
15 Street, 115 Division Street.

16 Q And how many apartments are in all  
17 those buildings?

18 A I think it's sixty-seven.

19 Q And what is the approximate value  
20 of those four buildings?

21 A That I don't know.

22 Q Again, estimate?

23 A I don't know. I really don't.

24 Q Do you have any debt on those  
25 buildings?



1 D. Alderman

2 A Yes.

3 Q How much, approximately?

4 A I think on 415 there's maybe -- I  
5 think there's maybe \$700,000. And on 91 I  
6 think it's about fourteen -- one point four  
7 maybe, one point three.

8 Q One point four million?

9 A One point four, yes.

10 Q And none of those buildings have  
11 been appraised recently?

12 A No.

13 Q Other than those two addresses you  
14 have no other residences which you own or rent?

15 A My mother and I share a house in  
16 Pennsylvania.

17 Q What's the address of that?

18 A 106 State Road, Barnesville, PA  
19 18214.

20 Q And for the apartment in New York  
21 City, do you personally have any debt or  
22 mortgage obligations with respect to that  
23 apartment?

24 MS. BILUS-GOULD: Objection to  
25 form.

1 D. Alderman

2 You're talking about the  
3 individual unit?

4 MR. KOERNER: The individual unit.

5 MS. BILUS-GOULD: You can answer  
6 if you can answer.

7 A It's a rental building so there's  
8 no debt. There's only debt on the building.

9 Q You're not renting that apartment,  
10 though, are you?

11 A No.

12 Q Have you had any other addresses  
13 other than the three you mentioned in the prior  
14 five years?

15 A No.

16 Q And are you currently employed?

17 A I basically take care of the  
18 buildings somewhat, but I'm not an employee.  
19 I'm basically -- I collect a distribution.

20 Q I'm sorry, you collect a  
21 distribution?

22 A It's a distribution.

23 Q How much is the distribution?

24 A Twelve thousand, I think.

25 Q Twelve thousand per?

1 D. Alderman

2 A Month.

3 Q And do you have to do work in  
4 order to get that distribution?

5 MS. BILUS-GOULD: Objection to  
6 form. You can answer if you can answer.

7 A I think I -- when I can, I try to  
8 maintain -- I basically try to make sure that  
9 management and workers are doing their job.  
10 And whatever I can help. Whatever I -- if I  
11 get a notice, a violation, I facilitate that.

12 Q But my question is, and I'll get  
13 to the description of what you do.

14 First of all, you have a company  
15 which you own and the purpose of which is to  
16 manage these buildings; is that correct?

17 MS. BILUS-GOULD: Objection to  
18 form. You can answer.

19 A Yes.

20 Q And what's the name of that  
21 company?

22 A Wavecrest Management Team, LTD.

23 MS. BILUS-GOULD: Objection to  
24 form. I'm sorry. You can answer.

25 Q And do you also have an ownership

1 D. Alderman

2 in Thermald Realty as well?

3 MS. BILUS-GOULD: Objection to  
4 form in terms of the name, but you can  
5 answer.

6 A Basically the buildings are owned  
7 by Thermald Realty I, LP.

8 Q And who owns Thermald Realty  
9 outfit?

10 A Basically it ends up going down to  
11 me, but there's a trust that was developed, a  
12 family trust. So fifty percent ownership is  
13 Thermald Realty I, LP.

14 Q And the family trust that you're  
15 talking about, you're a beneficiary of that  
16 trust?

17 MS. BILUS-GOULD: Objection to  
18 form. You can answer if you can answer.

19 A It's a trust really actually  
20 designed for my children.

21 MR. KOERNER: I'll ask for  
22 production of a copy of that trust  
23 instrument.

24 MS. BILUS-GOULD: Well, when you  
25 want, put anything you want in writing

1 D. Alderman

2 and I will respond accordingly.

3 MR. KOERNER: I will also note for  
4 the record I still do not have a copy of  
5 Mr. Britt's transcript, which is  
6 outrageous. His deposition was  
7 conducted in June. Mr. Yablonsky's  
8 deposition was conducted several weeks  
9 ago and I already gave you the  
10 transcript. And it's outrageous that  
11 you haven't provided the transcript.  
12 I've asked at least four times.

13 So as I said in the prior  
14 correspondence, we reserve the right to  
15 call back all the defendants subject to  
16 getting the transcript.

17 MS. BILUS-GOULD: Well, since this  
18 is a time that you are actually putting  
19 something on the record, I will respond  
20 as follows:

21 Number one, there's no particular  
22 time frame in which I'm required to  
23 provide you with the transcript.

24 Number two, you have made some  
25 statements off the record at other

1 D. Alderman  
2 depositions in which you indicated that  
3 you intended to use the transcript,  
4 among other ways, by providing it to  
5 some member or members of the press,  
6 which if you decide to do that, that  
7 will be at your peril. But if and when  
8 you decide to do that, I will make sure  
9 and I am ensuring that I will have a  
10 copy of my client's transcript to  
11 provide as well.

12 Number three, this deposition was  
13 originally scheduled for June 10, 2014.  
14 That was four days after the completion  
15 of your client's deposition. You would  
16 have no way have had a copy of  
17 Mr. Britt's deposition in order to  
18 prepare for this deposition. So the  
19 fact that you claim that you need it to  
20 prepare for this deposition is fine, but  
21 you could have purchased, as I did  
22 Mr. Yablonsky's deposition, you could  
23 have purchased the deposition if you  
24 needed it.

25 So you can reserve whatever rights

1 D. Alderman

2 you think you have.

3 MR. KOERNER: Thank you. But I'll  
4 take issue with that discourse, but --

5 MS. BILUS-GOULD: Let's proceed.

6 BY MR. KOERNER:

7 Q Wavcrest Management, do you have  
8 ownership interest in that company as well?

9 A No.

10 Q Do you hire Wavcrest to manage  
11 the buildings that you own?

12 A We have a contract.

13 Q And before, what I was trying to  
14 get at, and you started to describe what you do  
15 with respect to these buildings, and my  
16 question was for the distribution that you get  
17 \$12,000 a month.

18 Is that contingent upon you doing  
19 these duties or would you get that money even  
20 if you didn't do these duties?

21 A Yes.

22 Q Yes?

23 A Yes, I would get that money.

24 Q Even if you didn't do any work?

25 A Yes.

1 D. Alderman

2 Q Do you have any other sources of  
3 income?

4 A I teach privately, singing and  
5 voice, but only very sporadically when I'm in  
6 California.

7 Q How much income a year have you  
8 generated in that way?

9 A Maybe it's \$2000. I actually  
10 can't remember offhand.

11 MR. KOERNER: I think we've asked  
12 for plaintiff's tax returns.

13 MS. BILUS-GOULD: No, you have not  
14 asked for -- first of all, plaintiff is  
15 your client.

16 MR. KOERNER: I mean defendants  
17 tax returns.

18 MS. BILUS-GOULD: You've asked for  
19 Thermal tax returns. And I've  
20 explained to you why I didn't think that  
21 request was proper and you agreed that  
22 you were no longer asking.

23 MR. KOERNER: Well, we're asking  
24 for Miss Alderman's tax returns.

25 MS. BILUS-GOULD: Put your request



1 D. Alderman

2 in writing and I will respond  
3 accordingly.

4 BY MR. KOERNER:

5 Q Can you tell me how much income  
6 you listed on last year's tax return?

7 A I think it was something like --  
8 I'm trying to think. I think it was around one  
9 seventy.

10 Q A hundred seventy thousand?

11 A Yes, something like that. Not  
12 exact. I can't exactly remember.

13 Q And what is your approximate net  
14 worth with all your assets and liabilities?

15 A I honestly don't know.

16 Q Can you estimate?

17 A No.

18 Q Is it more than a million dollars?

19 A Yeah, probably.

20 Q Is it more than two million  
21 dollars?

22 A That I couldn't tell you. I don't  
23 know.

24 Q You have no idea what any of the  
25 buildings you own are worth?

1 D. Alderman

2 A No.

3 Q Approximately how many hours a  
4 week do you work with respect to any of the  
5 activities that you do to generate income?

6 MS. BILUS-GOULD: Objection to  
7 form. She's just told you that she  
8 would get a distribution from Thermal  
9 whether she worked or not.

10 MR. KOERNER: I know, but I'm  
11 asking --

12 MS. BILUS-GOULD: Objection to  
13 form, but you can answer if you can  
14 answer.

15 MR. KOERNER: I'll rephrase.

16 BY MR. KOERNER:

17 Q How many hours a week do you work?

18 A It all depends on what you mean by  
19 "work." Could you be a little more specific?  
20 I think there's several things that I do.

21 Q I'm asking you to total them all  
22 up, all the activities that you do to generate  
23 income, how many hours a week?

24 MS. BILUS-GOULD: Objection to  
25 form.

1 D. Alderman

2 A I don't know. It could fluctuate.

3 It could be somewhere from four -- if you're  
4 talking about everything that I do, it could be  
5 anywhere from four hours to twenty hours. It  
6 all depends on the issues that arise.

7 Q Have you ever had any full-time  
8 jobs?

9 A Yes.

10 Q When was your last full-time job?

11 A When I had a dancing school.

12 Q When was that?

13 A I stopped teaching three years  
14 ago.

15 Q The dancing school was in  
16 California?

17 A Yes.

18 Q And how much income did that  
19 dancing school generate to you?

20 A When I had time for it, it  
21 generated grossly around fifty thousand.

22 Q A year?

23 A Yeah.

24 Q To you personally?

25 A No, gross.

1 D. Alderman

2 Q Okay, gross. How much did it net?

3 A It all depended on how many people  
4 were helping me or -- it fluctuated.

5 Q Can you estimate what your net  
6 income of the business was at any point?

7 A I would have to look really at all  
8 those years to see and I haven't really  
9 reviewed it.

10 MR. KOERNER: I will ask for that  
11 information to be provided as well.

12 MS. BILUS-GOULD: Again, put your  
13 requests in writing and I will respond  
14 accordingly.

15 MR. KOERNER: I'll put it in  
16 writing.

17 BY MR. KOERNER:

18 Q How long was the dancing school in  
19 existence when you worked full time?

20 A Basically the last maybe seven  
21 years it became a full-time job.

22 Q And you were the sole owner of  
23 that?

24 A Yes.

25 Q And prior to your dancing school,

1 D. Alderman

2 is it true that the maximum it ever grossed per  
3 year was about \$50,000?

4 A Yes.

5 Q And before the dancing school did  
6 you have any full-time employment?

7 A Yes.

8 Q What was it?

9 A I was a dancer.

10 Q From when to when?

11 A From the age of twenty-one to  
12 twenty-nine.

13 Q And did you stop dancing?

14 A Yes.

15 Q Why?

16 A Because I had children.

17 Q What was your maximum annual  
18 income as a dancer?

19 A Oh, boy, that fluctuated too. I  
20 mean you're going back to 1979 so...

21 MS. BILUS-GOULD: Best you can  
22 recall.

23 A I don't know. Maybe it was  
24 anywhere from during that time period maybe  
25 twenty thousand, thirty thousand.

1 D. Alderman

2 Q And other than being a dancer and  
3 then the dancing school, have you ever had any  
4 other full-time employment?

5 A No.

6 Q You stated that you have been  
7 married twice; is that correct?

8 A Yes.

9 Q First of all, stepping back, can  
10 you give me your educational history?

11 A I graduated high school, Flushing  
12 High School, and I have two years of college.

13 Q You didn't graduate college?

14 A No.

15 Q And where did you go to college?

16 A Queens College and Glendale  
17 Community College.

18 Q And when did you get married for  
19 the first time?

20 A I think it was 1982 -- '81.

21 Q And who did you get married to?

22 A Kelsey Grammer.

23 Q The actor, correct?

24 A Yes.

25 Q And how long were you married to

1 D. Alderman

2 him for?

3 A I think approximately seven years.

4 Q And you got divorced in  
5 approximately '88?

6 A I'm not sure, maybe.

7 Q Around that time?

8 A Give or take.

9 Q And when you got divorced from him  
10 why did you get divorced?

11 MS. BILUS-GOULD: I'm going to  
12 give you some leeway, Counsel, but so  
13 far I haven't heard one question that's  
14 germane to this case. This is not a  
15 supplemental proceeding. You don't have  
16 a judgment against my client. You're  
17 not entitled to know every aspect that  
18 she has nor her marital history.

19 I'm going to give you some leeway  
20 but we're not going to be spending hours  
21 on this.

22 Go ahead.

23 A I'm sorry, what was the question?

24 Q Why did you get divorced from your  
25 first husband?

1 D. Alderman

2 A Technical term, the legal term was  
3 we had differences.

4 Q Not the legal term. In your own  
5 words.

6 A It was a difficult marriage.

7 Q Can you tell me how was it  
8 difficult?

9 A There were just -- we had  
10 problems. Our lifestyles were different.

11 Q Can you describe for me, I'm  
12 trying to figure out what do you mean your  
13 lifestyles were different?

14 MS. BILUS-GOULD: Again, this is  
15 the last question on this topic. Answer  
16 if you can.

17 A His way of living was different  
18 than mine.

19 Q In what way? I need to get --

20 MS. BILUS-GOULD: You really don't  
21 need it. It has nothing to do with this  
22 case.

23 MR. KOERNER: This is a sexual  
24 harassment case, so --

25 MS. BILUS-GOULD: Right. So why



1 D. Alderman

2 she got divorced in 1989 is not at all  
3 relevant.

4 If you can answer the question,  
5 answer it.

6 A What is the question again?

7 Q You said you had differences in  
8 lifestyles. What were they?

9 I just want to get to the point,  
10 so we can move on.

11 A Different way of communicating.

12 Q Did it have anything to do with  
13 alcohol?

14 A That was one of the issues.

15 Q Can you describe what that issue  
16 was?

17 A Can you be -- what do you mean?

18 Q Who was drinking too much, or I  
19 assume it was because somebody was drinking too  
20 much?

21 A Well, Kelsey had issues.

22 Q And did you have children with  
23 Kelsey Grammer?

24 A Yes.

25 Q How many?

1 D. Alderman

2 A One.

3 Q And what was her name and age?

4 A Spencer Grammer, and she's thirty.

5 Q And did you have any other  
6 children with Kelsey Grammer?

7 A No.

8 Q And did you get married for a  
9 second time?

10 A Yes.

11 Q When and to whom?

12 A I got married in 1992 to Dr.  
13 William Skinner.

14 Q And where did that marriage take  
15 place?

16 A In California.

17 Q And what kind of doctor was Dr.  
18 Skinner?

19 A He's internal medicine.

20 Q And how long had you been married  
21 to him?

22 A I think -- I believe it was four  
23 years.

24 Q And did that marriage also end in  
25 divorce?

1 D. Alderman

2 A Yes.

3 Q And what were the reasons for that  
4 divorce?

5 A Again, different lifestyles.

6 Q Was it the same issues as the  
7 first marriage or different issues?

8 MS. BILUS-GOULD: Objection to  
9 form. You can answer if you can answer.

10 A Bankruptcy issues.

11 Q His bankruptcy?

12 A Yes.

13 Q Did you ever file for bankruptcy?

14 A No.

15 Q ^RULING^ What is your Social  
16 Security number?

17 MS. BILUS-GOULD: It's not  
18 relevant to this case.

19 THE WITNESS: No, it's not.

20 MS. BILUS-GOULD: I'm directing  
21 you not to answer.

22 MR. KOERNER: Mark it for a  
23 ruling.

24 BY MR. KOERNER:

25 Q So there were financial issues

1 D. Alderman

2 that caused the divorce, the second divorce?

3 A Yes.

4 Q And did you have children with Dr.  
5 Skinner as well?

6 A Yes.

7 Q Who and what name and when?

8 A Her name is Madison Skinner.

9 Q And how old is she?

10 A She's twenty-one.

11 Q And do either of your children  
12 work?

13 A Yes.

14 Q What do they do?

15 A My older daughter is an actress  
16 and married to a fireman with a three-year-old  
17 and -- boy. And my younger daughter just  
18 graduated from Berkeley and she's working for  
19 Deloitte Management Services.

20 Q And after Dr. Skinner have you  
21 been married subsequently?

22 A No.

23 Q Have you been engaged  
24 subsequently?

25 A No.

1 D. Alderman

2 Q Are you currently in a monogamous  
3 relationship?

4 A Yes.

5 Q With whom?

6 A Richard Cornejo.

7 Q And how did you meet Richard  
8 Cornejo?

9 A Through the internet.

10 Q What site?

11 A Singles Net.

12 Q This is out in California?

13 A I think it's countrywide. Maybe  
14 even worldwide. I don't know.

15 Q When you met him was Richard  
16 living in California or New York or somewhere  
17 else?

18 A California.

19 Q Was he living near you in  
20 California?

21 A Yes.

22 Q Where was he living?

23 A Pilot Hill. I'm sorry, no.  
24 Signal Hill.

25 Q And when you met Richard what was

1 D. Alderman

2 he doing for a living?

3 A He works with -- it's business  
4 with credit card services, managing. He has a  
5 banking background.

6 Q When you met him was he employed  
7 on a full-time basis?

8 A He had a contract. And he has his  
9 own businesses besides.

10 Q What's the name of his businesses?

11 A First Web Bill. That's all I can  
12 remember offhand.

13 Q And you said that he has  
14 companies. So other than First Web Bill, do  
15 you know the other companies?

16 A I can't remember the other  
17 companies that he has but...

18 Q They're all --

19 A Basically helps businesses get  
20 credit card, do credit and processing and...

21 Q But he did not have an employer,  
22 he had a contract; is that correct, when you  
23 first met him?

24 A Yes.

25 Q And today has he had an employer?

1 D. Alderman

2 MS. BILUS-GOULD: Objection.

3 BY MR. KOERNER:

4 Q That you know of?

5 MS. BILUS-GOULD: Objection to  
6 form. She just said he has companies.

7 Objection to form. You can  
8 answer.

9 A Today does he have?

10 Q I'm saying from the time you met  
11 him until today.

12 A He's always been self-employed.

13 Q Do you know what his income is?

14 A I couldn't tell you. I don't  
15 know.

16 Q When did you meet him on the  
17 internet?

18 A Over four years ago.

19 Q And this Singles Net, did you have  
20 to submit a profile, a dating profile?

21 A Yes.

22 MR. KOERNER: I ask for production  
23 of that as well as Mr. Cornejo's.

24 MS. BILUS-GOULD: Put it in  
25 writing and I'll respond.

1 D. Alderman

2 BY MR. KOERNER:

3 Q And Mr. Cornejo, has he ever  
4 performed any work for you?

5 MS. BILUS-GOULD: Objection to  
6 form. You can answer.

7 A He helps me with a lot of things.

8 Q When you say he helps you with a  
9 lot of things, describe for me the lot of  
10 things that he does for you?

11 A Whatever things come up. I mean  
12 just like my life is full of different things,  
13 so is his life because we're together.

14 Q Does he help you with respect to  
15 the management of the buildings in New York?

16 A He's definitely a sounding board  
17 for me.

18 Q In addition to being a sounding  
19 board, does he actually perform work for you?

20 MS. BILUS-GOULD: Objection to  
21 form. You can answer.

22 A He'll sometimes, if I'm cooking,  
23 he'll answer an e-mail for me. Doreen is  
24 requesting...

25 Q Are you aware that he has



1 D. Alderman

2 represented to tenants that he is an agent of  
3 the landlord?

4 MS. BILUS-GOULD: Objection to  
5 form. You can answer.

6 A If that's what he's represented,  
7 no, I have no idea but that's okay. Yeah, he  
8 helps me.

9 Q So just to clarify the record, he  
10 does work for you as your agent?

11 MS. BILUS-GOULD: Objection to  
12 form --

13 BY MR. KOERNER:

14 Q As an agent of the landlord?

15 MS. BILUS-GOULD: Excuse me.  
16 Objection to form. It's a legal  
17 conclusion what is an agent.

18 MR. KOERNER: I'm asking her --

19 MS. BILUS-GOULD: And objection to  
20 form as to work. I don't think that  
21 that was her testimony.

22 MR. KOERNER: Okay.

23 MS. BILUS-GOULD: She indicated he  
24 helps her.

25 MR. KOERNER: Read back the

1 D. Alderman

2 question.

3 (The record is read by the  
4 reporter as recorded above.)

5 MS. BILUS-GOULD: Objection to  
6 form. If you can answer, answer.

7 A I don't know if I know that per  
8 se, but if that's what he said, that's fine  
9 because I think he's only trying to facilitate.

10 Q ^RULING^ So you're fine with that  
11 he is an agent of the landlord?

12 MS. BILUS-GOULD: Objection to  
13 form. Now, I'm directing you not to  
14 answer that.

15 MR. KOERNER: Mark it for a  
16 ruling.

17 BY MR. KOERNER:

18 Q When he does work for you with  
19 respect to the buildings in New York, is he  
20 doing so on your behalf?

21 A What do you mean on my behalf?  
22 Yeah, he's trying to help me if that's what you  
23 mean.

24 Q And are you aware that he has also  
25 told tenants in the buildings that you own that

1 D. Alderman

2 he is the landlord?

3 MS. BILUS-GOULD: Objection to  
4 form.

5 BY MR. KOERNER:

6 Q Are you aware of that?

7 A No.

8 Q Are you in agreement with that  
9 statement?

10 MS. BILUS-GOULD: Objection to  
11 form.

12 A No.

13 Q Do you know why he's telling  
14 people that he's acting on behalf of the  
15 landlord?

16 MS. BILUS-GOULD: Objection to  
17 form. She said she's not aware of it.  
18 Move on.

19 MR. KOERNER: That's a different  
20 question.

21 MS. BILUS-GOULD: No, not a  
22 different question. That's an  
23 assumption. Go ahead. Move on.

24 BY MR. KOERNER:

25 Q Can you describe some of the tasks

1 D. Alderman

2 that Richard performs for you with respect to  
3 the buildings in New York?

4 A When we look at work that's done  
5 he'll come with me.

6 Q What kind of work?

7 A Well, first thing I can think of  
8 is the roofs just got repaired and the siding,  
9 so things like that.

10 Q Does he have any experience with  
11 respect to construction or repair work or  
12 building management?

13 A He is -- he's owned homes.

14 Q He's owned homes, okay.

15 So in addition to -- you said he  
16 does lots of things for you. We talked about  
17 how he looks at the work that's being done at  
18 the buildings and acts as a sounding board with  
19 respect to -- with respect to what? Acts as a  
20 sounding board with respect to everything  
21 related to the buildings or does he act -- you  
22 said he acted as a sounding board.

23 A Yeah. Basically, he's my partner  
24 and we talk about everything.

25 Q And in addition to acting as your

1 D. Alderman

2 sounding board and going with you and  
3 consulting with you with respect to the work  
4 done on the buildings, what else has he done  
5 with respect to work on your behalf of the  
6 buildings?

7 MS. BILUS-GOULD: Objection to  
8 form to the word "work," but you could  
9 answer.

10 A To just the buildings?

11 Q Yes.

12 A Maybe talking to the porter.

13 Q Are you aware that Richard was  
14 involved with respect to having a bolt placed  
15 on Mr. Britt's storage unit in the basement of  
16 the building?

17 MS. BILUS-GOULD: Objection to  
18 form. You could answer.

19 A Yes.

20 Q Can you describe to me his  
21 involvement?

22 A He was there with the workers.

23 Q And he actually helped install the  
24 bolt; is that correct?

25 MS. BILUS-GOULD: Objection to

1 D. Alderman

2 form. You can answer.

3 A I don't know for sure. I wasn't  
4 there.

5 Q Whose idea was it to put a bolt on  
6 the door, the rear entry of Mr. Britt's storage  
7 space?

8 MS. BILUS-GOULD: I'm going to  
9 object and make a statement for the  
10 record.

11 If any response that's going to be  
12 given to Mr. Koerner's questions calls  
13 for a communication with counsel, I'm  
14 directing you not to answer.

15 MS. KOERNER: I'll object to the  
16 coaching of the witness while a question  
17 is pending. It's improper so go ahead.

18 MS. BILUS-GOULD: That's an  
19 objection. Go ahead.

20 Can you ask the question again?

21 MR. KOERNER: Go ahead. Read it,  
22 please.

23 (The record is read by the  
24 reporter as recorded above.)

25 MS. BILUS-GOULD: Does your

1 D. Alderman

2 response call for a communication with  
3 counsel?

4 MR. KOERNER: Again, it's  
5 improper.

6 Answer the question.

7 MS. BILUS-GOULD: No, it's not.

8 MR. KOERNER: Yes, it is.

9 MS. BILUS-GOULD: Does your  
10 response call for a communication with  
11 counsel? If not, you can answer. If  
12 so, I'm directing you not to answer.

13 THE WITNESS: I can answer if you  
14 want me to.

15 MR. KOERNER: Yes, I do.

16 MS. BILUS-GOULD: Then answer.

17 A Actually the idea came up with the  
18 investigator, the retired police officer. It  
19 was his idea.

20 Q Which investigator?

21 A There was an investigator that did  
22 an investigation of the cellar storage.

23 Q And he said you should put a bolt  
24 on the --

25 A He's the one who brought it up,

1 D. Alderman

2 yes.

3 Q Who hired the investigator?

4 A I did.

5 Q What was the investigator's name?

6 A I don't know offhand.

7 MR. KOERNER: I ask for his  
8 contact information.

9 MS. BILUS-GOULD: Same direction  
10 or request.

11 BY MR. KOERNER:

12 Q So in addition to what you  
13 previously testified as far as him consulting  
14 with respect to repair work, acting as a  
15 sounding board, helping with the actual bolting  
16 of Mr. Britt's rear entry for storage space,  
17 what other types of work does he do for you  
18 with respect to these buildings?

19 MS. BILUS-GOULD: Objection to the  
20 form. You can answer.

21 A I mean I can't think of anything  
22 else really offhand.

23 Q You said "a lot of things." So is  
24 it a thing where if an issue comes up, you will  
25 in general just have him take care of it?



1 D. Alderman

2 MS. BILUS-GOULD: Objection to  
3 form.

4 A No.

5 Q Well, describe for me what the --

6 MS. BILUS-GOULD: Wait a minute.  
7 What's your question?

8 MR. KOERNER: Describe for me --  
9 I'm trying to get a sense -- she's  
10 testified that he did a lot of things.  
11 She does -- he does a lot of things for  
12 her in connection with the building.  
13 And she's testified to some of it and I  
14 want to make sure I have gotten all of  
15 it.

16 MS. BILUS-GOULD: And I think that  
17 she said she couldn't recall offhand.  
18 But go ahead, if you can recall more,  
19 please tell him.

20 A I don't know what else I can think  
21 of right now.

22 Q But with respect to the work that  
23 he does perform on your behalf with respect to  
24 these buildings, does he receive any  
25 compensation?

1 D. Alderman

2 MS. BILUS-GOULD: Objection to  
3 form with regard to the word "work."  
4 You can answer.

5 A He actually did a forensic report  
6 and he got compensation for that.

7 Q What kind of forensic report?

8 A When we started -- when this  
9 file -- when this suit came up we really took a  
10 look at all the income and expense reports and  
11 all the payments that were made to employees,  
12 and the W-2s, all the filings, and he did that  
13 all for me.

14 Q How was he paid; was he paid  
15 directly by you, by Thermal Realty, Wavecrest  
16 or something else?

17 A I can't remember offhand, but it  
18 was with a Wavecrest check and it was to one of  
19 his companies.

20 MR. KOERNER: We ask for  
21 production of that check.

22 BY MR. KOERNER:

23 Q How much was the check for?

24 A I don't remember offhand.

25 Q Can you estimate?

1 D. Alderman

2 A Maybe it was ten thousand, fifteen  
3 thousand, somewhere around there.

4 Q Was it just one payment?

5 A I don't -- maybe it was two.

6 Q And was it total \$15,000 or more?

7 A No, that was it.

8 Q And you hired him in response to  
9 this lawsuit?

10 MS. BILUS-GOULD: Objection to  
11 form. You can answer.

12 A I didn't hire him. He just -- he  
13 knows how to work with all the banking, you  
14 know, it's just easy for him. So he started  
15 asking all the information from management.

16 Q And was it your idea or his idea  
17 or somebody else's idea to pay him for the work  
18 that he was doing on your behalf?

19 A It was my idea.

20 Q And how did you arrive at the  
21 dollar figure that you were going to pay him?

22 A I asked him to supply me an  
23 invoice because he put so much time in.

24 Q And, again, can you give me the  
25 approximate date that you met Richard on this

1 D. Alderman

2 dating site?

3 A It was -- actually I know the  
4 date. It was May 8, 2010.

5 Q And do you have sex with Richard?

6 A Yes.

7 Q When was the first time you had  
8 sex with Richard?

9 MS. BILUS-GOULD: All right. I'm  
10 directing her not to answer.

11 MR. KOERNER: I'll say for the  
12 record, this case is about Miss Alderman  
13 having sex with her employee. We  
14 already established that Richard is  
15 having sex with her, is also her  
16 employee. And so we're going to get  
17 into these details. And if you're going  
18 to instruct her not to answer, it's  
19 ridiculous.

20 MS. BILUS-GOULD: I'll tell you  
21 what, I'm going to give you some leeway  
22 but we're not going to spend an hour on  
23 when's the first time, the second time,  
24 the third time, the eighth time.

25 MR. KOERNER: No, not at all.

1 D. Alderman

2 MS. BILUS-GOULD: We're not going  
3 to do that.

4 MR. KOERNER: We're going to do  
5 whatever I feel is relevant.

6 MS. BILUS-GOULD: Go ahead.

7 BY MR. KOERNER:

8 Q When was the first time you had  
9 sex with Richard after your first meeting?

10 A A few months after.

11 Q How many times had you met him in  
12 person at that point?

13 A Oh, I don't know. I couldn't tell  
14 you. Maybe six, maybe ten, maybe twelve.

15 Q And you went on dates with him  
16 before you had sex with him?

17 A Yes.

18 Q And who initiated the sexual  
19 contact with you and Richard?

20 A It was mutual.

21 Q Is it your contention that your  
22 sexual relationship with Mr. Britt that you  
23 acknowledged in prior discovery was consensual  
24 also?

25 A Yes.

1 D. Alderman

2 MS. BILUS-GOULD: Objection to  
3 form with the word "relationship," but  
4 you can answer.

5 Was that a yes?

6 THE WITNESS: Yes.

7 BY MR. KOERNER:

8 Q And it was mutual?

9 A Yes.

10 Q Other than Richard and Mr. Britt,  
11 have you ever slept with any of your other  
12 employees?

13 A No.

14 MS. BILUS-GOULD: Objection to  
15 form. You can answer it. Sorry.

16 BY MR. KOERNER:

17 Q Do you feel it's proper to sleep  
18 with your employees?

19 MS. BILUS-GOULD: Objection to  
20 form. You could answer.

21 A I don't think there's anything  
22 wrong with people meet working all the time. I  
23 mean it happens all the time.

24 Q And it's fine for employers to  
25 initiate sexual contact with their employees?

1 D. Alderman

2 MS. BILUS-GOULD: Objection to  
3 form. Her testimony was not that she  
4 initiated it.

5 BY MR. KOERNER:

6 Q I'm asking you, it's fine with  
7 you --

8 MS. BILUS-GOULD: Objection to  
9 form. You can answer.

10 A It all depends on the situation.

11 Q But if the situation is right,  
12 it's fine for an employer to initiate sexual  
13 contact with an employee?

14 A Like I said, it all depends on the  
15 situation.

16 Q Describe what you mean.

17 A Well, if it's agreeable. It has  
18 to be agreeable. It has to be a mutual  
19 consent.

20 Q How do you establish if it's a  
21 mutual consent?

22 A I think when it just happens.

23 Q With respect to your relationship  
24 with Mr. Britt, who initiated the sexual  
25 contact?

1 D. Alderman

2 A I don't think there was anybody  
3 that initiated it. I think it just kind of  
4 happened.

5 Q Just spontaneously?

6 A Yes.

7 Q There wasn't one person who  
8 started the sexual contact?

9 A No.

10 Q Mr. Britt didn't start the sexual  
11 contact on his own?

12 MS. BILUS-GOULD: Objection to  
13 form. You can answer.

14 A I mean it was -- I don't know.  
15 Two people get together. They're talking.  
16 They're enjoying each other's company and one  
17 thing leads to another. I don't know how you  
18 could explain it. He didn't force himself on  
19 me. I didn't force myself on him.

20 Q But as far as who initiated the  
21 contact, neither one of you is what you're  
22 saying?

23 MS. BILUS-GOULD: Objection to  
24 form. She said it was mutual. Things  
25 just happened.



1 D. Alderman

2 You can answer.

3 A I mean if you're talking about the  
4 sexual context, that's what I'm referring to.  
5 If you're talking about initiating a  
6 friendship, I would say he would be the  
7 initiator.

8 Q I'm talking about the sexual  
9 contact.

10 A That was -- that just happened.

11 Q Okay.

12 MS. BILUS-GOULD: Just give me one  
13 second.

14 (Whereupon, a recess was taken.)

15 BY MR. KOERNER:

16 Q With respect to Richard, when you  
17 initially had sex with him did you have oral  
18 sex with him?

19 MS. BILUS-GOULD: If you can  
20 remember.

21 A Yes.

22 Q Was that on the first occasion  
23 that you had sex with him?

24 A Yes.

25 Q And did you perform oral sex on

1 D. Alderman

2 him?

3 A Yes.

4 Q Did he perform oral sex on you?

5 A Yes.

6 Q And with respect to the first time  
7 you had sex with Mr. Britt, did you perform  
8 oral sex on him?

9 A I can't remember offhand.

10 Q Did he perform oral sex on you?

11 A I can't remember.

12 Q Did you ever perform oral sex on  
13 Ron Britt?

14 A Yes.

15 Q How many times?

16 A Maybe once.

17 Q You mean at least once?

18 MS. BILUS-GOULD: Objection to  
19 form. She said "maybe once."

20 MR. KOERNER: Well, did you or did  
21 you not ever perform oral sex on Ron  
22 Britt? I thought she said yes.

23 THE WITNESS: Maybe once.

24 MS. BILUS-GOULD: You asked how  
25 many times and she said maybe once.

1 D. Alderman

2 BY MR. KOERNER:

3 Q Not more than once?

4 A Not that I can recall.

5 Q Did he ever perform oral sex on  
6 you?

7 A Not that I can recall.

8 Q Did you ever ask him to?

9 A Not that I can recall.

10 Q Did he ever refuse to?

11 A Not that I can recall.

12 Q Can you describe your relationship  
13 with Richard in your own words?

14 MS. BILUS-GOULD: Objection to  
15 form. You can describe it. I think she  
16 used the word "partner" earlier, but you  
17 can describe it.

18 A No, that's basically it. He's a  
19 very trustworthy honest loving person and he  
20 has a good mind and so he makes an excellent  
21 life partner.

22 Q Do you have any plans to get  
23 married to him?

24 A I don't think I'm going to get  
25 married again, no.

1 D. Alderman

2 Q Have you discussed that with him?

3 A We have.

4 Q And have you both agreed that  
5 you're not going to get married?

6 A Yes.

7 Q I asked you before have you ever  
8 had sex with any employees other than  
9 Mr. Britt, Richard and you said no; is that  
10 correct?

11 MS. BILUS-GOULD: And I objected  
12 to form.

13 A No.

14 Q Have you ever had any romantic  
15 involvement with any other employees other than  
16 those two individuals?

17 MS. BILUS-GOULD: Objection to  
18 form.

19 A No. But Richard is not an  
20 employee.

21 Q Right. He performs work for you  
22 without compensation, correct?

23 MS. BILUS-GOULD: Objection to  
24 form. You can answer.

25 A Yeah, I mean...

1 D. Alderman

2 Q Do you perform work for him?

3 A Yes.

4 Q With kind of work?

5 A Grocery shopping, cooking,  
6 cleaning.

7 Q Does he maintain any other  
8 residences other than the residences that  
9 you've listed today?

10 A He has his own house.

11 Q In?

12 A In Pilot Hill.

13 Q In California?

14 A Yes.

15 Q And does he own that house?

16 A Yes.

17 Q Does he have a mortgage on that  
18 house?

19 A Yes.

20 Q Do you know how much his mortgage  
21 is?

22 A No.

23 Q Does he also live with you in  
24 addition to owning the house in California?

25 A Yes.

1 D. Alderman

2 Q And he lives with you at your  
3 house in California as well as the apartment in  
4 New York?

5 A Yes.

6 Q Does he pay any rent in connection  
7 with living there?

8 A No.

9 Q Do you live at his house at Pilot  
10 Hill?

11 A When I have time.

12 Q How far is your residence in  
13 California from his residence in California?

14 A It's between San Francisco and  
15 Tahoe. And I'm in Los Angeles County.

16 Q How far is that?

17 A By car it's seven hours.

18 Q Approximately how many times a  
19 year do you spend at his residence in Pilot  
20 Hill?

21 A Maybe a week or two.

22 Q Did you consult with Richard with  
23 respect to the decision to have Ron Britt's  
24 back entrance bolted?

25 MS. BILUS-GOULD: Objection to

1 D. Alderman

2 form. You can answer.

3 A We talked about it, yes.

4 Q And what did he say?

5 A He agreed with the retired police  
6 officer.

7 Q Do you know what the rationale was  
8 for closing the back door?

9 MS. BILUS-GOULD: Objection to  
10 form.

11 Did he tell her what the rationale  
12 was; is that what you're saying?

13 BY MR. KOERNER:

14 Q I'm asking do you know?

15 A There was a lot of safety and  
16 security issues with the building, and so the  
17 way to really stop those issues was to put that  
18 door up.

19 Q So he was in favor of bolting Mr.  
20 Britt's entry to the storage place?

21 A Yes.

22 MS. BILUS-GOULD: Objection to  
23 form.

24 BY MR. KOERNER:

25 Q With respect to that storage

1 D. Alderman

2 space, Mr. Britt initially had that storage  
3 space as a lessee; is that correct?

4 MS. BILUS-GOULD: Objection to  
5 form. You can answer.

6 A He has a lease, yes.

7 Q When does that lease expire?

8 A In 2018.

9 Q And are you aware that he  
10 sometimes played music in that basement space?

11 A Unfortunately, yes.

12 Q How long has he been playing music  
13 in that basement space?

14 A I've only been aware of it since  
15 I've moved into that apartment. I didn't  
16 always live there.

17 Q When was that?

18 A I believe it in was 2010 or '11.

19 Q And what was the date that you  
20 first had sex with Mr. Britt, approximately?

21 A I believe it was sometime in 2007,  
22 somewhere between spring and summer. Maybe  
23 closer to summer because it was definitely warm  
24 so...

25 Q Spring or summer of 2007?



1 D. Alderman

2 A Summer. Summer. Not spring.

3 Q Summer of 2007?

4 A Yes.

5 Q And can you describe for me how  
6 you first met Mr. Britt?

7 A He basically had the storage  
8 cellar for lease and I met him after he had the  
9 space for a while.

10 Q And with respect to the music down  
11 in the basement, when was the first time that  
12 you complained to Mr. Britt about that?

13 A A few years ago.

14 Q What did you say?

15 A I said, "You know, you're playing  
16 music until three, four, five, six, 7 o'clock  
17 in the morning and you're waking us up. We  
18 can't sleep."

19 Q Are you aware that there are other  
20 units in that building in the basement where  
21 people also play music?

22 A But nobody hears them.

23 Q But they are other units where  
24 people play music?

25 A There is another unit, yes.

1 D. Alderman

2 Q And it is also a basement unit  
3 similar to Mr. Britt's unit?

4 A No, it's different.

5 Q How is it different?

6 A It has -- it doesn't go through  
7 the entire building. It's enclosed with, not  
8 only with a door with the trap, but there is a  
9 door inside. And they only play music like an  
10 hour at a time. It's just different. They  
11 never play at night until 7 o'clock in the  
12 morning.

13 Q Which unit is that?

14 A I don't know how to describe it  
15 except that the entry to the residence, there's  
16 like four traps, there's two in front of the  
17 edge -- there's four traps to the cellars. The  
18 resident's door is in the center, and it's the  
19 first one if you're looking at it to your  
20 right.

21 Q And there's a lease for that  
22 space. Does it say anything about music?

23 A You know, I don't know.

24 MR. KOERNER: I'll ask for  
25 production of that lease as well.

1 D. Alderman

2 MS. BILUS-GOULD: Same request.

3 Put it in writing.

4 Q Do you know whether Richard takes  
5 Viagra?

6 A I don't think so.

7 Q Do you know whether or not  
8 Mr. Britt ever took Viagra?

9 A I wouldn't know.

10 Q On the occasion when you performed  
11 oral sex on Mr. Britt, did you do so to help  
12 arouse him sexually?

13 MS. BILUS-GOULD: Objection to  
14 form. You can answer.

15 A No.

16 Q What was the purpose?

17 A Because it was -- I'm having  
18 trouble answering this question. I'm sorry.

19 MS. BILUS-GOULD: Do the best you  
20 can.

21 A It was romantic in nature.

22 Q Did he ask you to perform oral sex  
23 on him?

24 A I can't recall.

25 Q Was he erect when you began

1 D. Alderman

2 performing oral sex on him?

3 A I believe he might have been. I'm  
4 not sure. I don't really remember.

5 Q First of all, did Mr. Britt  
6 achieve orgasm on the occasion that you  
7 performed oral sex?

8 A I really don't remember.

9 Q Do you know how long you performed  
10 oral sex on him?

11 A No.

12 Q And your testimony is you don't  
13 remember whether or not he performed oral sex  
14 on you?

15 A No, I can't recall.

16 Q After you performed oral sex on  
17 Mr. Britt, did you also have sexual intercourse  
18 with him?

19 A Yes.

20 Q Do you know whether he achieved  
21 orgasm?

22 A I don't remember.

23 Q And that was on the first time you  
24 had any sexual contact with Mr. Britt; is that  
25 correct?

1 D. Alderman

2 A No, I don't think so.

3 Q When was the first time you had  
4 sexual contact with Mr. Britt?

5 MS. BILUS-GOULD: Objection.

6 Asked and answered. I thought she said  
7 in the summer of 2007.

8 BY MR. KOERNER:

9 Q So the first time you had any  
10 sexual contact with Mr. Britt you don't  
11 remember the date; is that correct?

12 A It was sometime around the summer.

13 Q And where did that take place?

14 A I believe it was my apartment.

15 Q And at that time Mr. Britt was in  
16 your employ; isn't that correct?

17 A Yes.

18 Q And did you invite him to your  
19 apartment on that occasion?

20 A I can't recall.

21 Q Did he invite himself to your  
22 apartment on that occasion?

23 A I'm not sure. I don't think so.

24 Q Did you go to the apartment  
25 together or did he come to the apartment while

1 D. Alderman

2 you were already there?

3 A I think he came to the apartment.

4 Q And you were already there?

5 A Yes.

6 Q And can you describe what you were  
7 wearing?

8 A No.

9 Q And what was the purpose of him  
10 coming to your apartment?

11 MS. BILUS-GOULD: Objection to  
12 form. If you know.

13 A It could be a myriad of things,  
14 honestly.

15 Q But you don't remember?

16 A No, because you know we did work  
17 together too, so it could have been -- there  
18 could have been something wrong with my  
19 apartment. I don't know. You know, I'm not  
20 sure. I really don't know.

21 Q But you don't recall discussing  
22 any work-related matters on that occasion or do  
23 you recall?

24 MS. BILUS-GOULD: Objection to  
25 form.

1 D. Alderman

2 A Could have been.

3 Q It could have been, but you don't  
4 recall?

5 A Yeah, no.

6 Q Can you describe for me what  
7 happened when he came in?

8 A I can't remember the details  
9 honestly except that some sexual intimacy took  
10 place.

11 Q Other than the fact that there was  
12 some sexual intimacy, you don't recall any  
13 other details?

14 A No. Just when I started thinking  
15 about it I remember that I had some mouse  
16 issue, and I know he came to seal up the mouse  
17 holes. So that could have been -- it was  
18 during that time. So it could have been that.  
19 I don't know. I'm just trying to remember.

20 Q You sat through Mr. Britt's  
21 deposition about, I think it was a  
22 month-and-a-half, two months ago, correct?

23 A Yes.

24 Q Was there any portion of his  
25 testimony that you found was false?

1 D. Alderman

2 MS. BILUS-GOULD: Objection to  
3 form.

4 A Yeah. There were some things that  
5 he said that in my perception was different.

6 Q Okay. What were they?

7 A I can't remember exactly offhand.

8 Q In general.

9 A I don't remember the things that  
10 he's ever -- I've never witnessed or felt that  
11 at any time I sexually harassed him.

12 Q What's your definition of sexual  
13 harassment?

14 A I can only go to the legal term of  
15 what I've read since I've been accused of it.  
16 And I definitely don't fall under those  
17 headings of what is defined by the law for  
18 sure.

19 Q Why not?

20 A Because I didn't do any of those  
21 things.

22 Q What things?

23 A That the law defines as sexual  
24 harassment.

25 Q Specifically.



1 D. Alderman

2 A Talking in any kind of vulgar  
3 manner, distastefully in a sexual manner.  
4 Demanding sex from a person or they would lose  
5 their job. I didn't do any of those things.

6 THE WITNESS: Can I take a break,  
7 please?

8 MR. KOERNER: Sure.

9 MS. BILUS-GOULD: Sure.

10 (Whereupon, a recess was taken.)

11 MR. KOERNER: Back on the record.

12 BY MR. KOERNER:

13 Q So Mr. Britt comes into your  
14 apartment. You don't know whether or not you  
15 invited him or he invited himself or the reason  
16 why he was there, but he's in your apartment;  
17 and can you describe for me everything that you  
18 remember about that incident?

19 A He came into the kitchen and  
20 somehow we ended up in the front room where the  
21 bed is.

22 Q Walk me through the whole  
23 incident.

24 A That's basically all I can  
25 remember.

1 D. Alderman

2 Q You ended up in the front room  
3 where the bed is and then no recollection of  
4 anything else happening?

5 A It's seven years ago -- over seven  
6 years ago.

7 Q You had some sexual contact with  
8 him on that occasion, correct?

9 A Basically, yes.

10 Q Can you describe for me the nature  
11 of the sexual contact?

12 MS. BILUS-GOULD: Objection to  
13 form. Asked and answered.

14 MR. KOERNER: No, it's not.

15 Q Because this is before the oral  
16 sex incident, correct?

17 A No. That's the same day.

18 Q Okay. So let's -- so I'm just  
19 trying to slow it down because this is the  
20 first incident and it's very important that we  
21 break this down.

22 So you don't remember why he's  
23 there, but somehow you ended up in the bedroom,  
24 correct?

25 A Yes.

1 D. Alderman

2 Q Do you know whose idea it was to  
3 go to the bedroom?

4 A No.

5 Q You can't recall if it was Mr.  
6 Britt's idea?

7 A I can't recall, honestly.

8 Q Once you were in the bedroom what  
9 happened?

10 A We had some sexual experience.

11 Q But I need -- I really --

12 A I can't remember. It was seven  
13 years ago.

14 Q You can't remember anything about  
15 it?

16 A Not really.

17 Q Well, what's the really part?

18 A The really part is I know we had  
19 some type of sexual encounter. That's about  
20 it.

21 Q You heard Mr. Britt testify about  
22 that sexual encounter, correct, about that  
23 specific sexual encounter, correct?

24 A I don't know if it was  
25 specifically that or it was the other time. If

1 D. Alderman

2 there was another time. I'm not sure. I think  
3 there was.

4 Q Other than the fact that you  
5 disagree that there was sexual harassment that  
6 took place, is there anything else about  
7 Mr. Britt's description of that event that you  
8 disagree with?

9 MS. BILUS-GOULD: Objection to  
10 form.

11 A I can't even respond to the things  
12 that he said because it was just absolutely  
13 horrendous. I'm sorry, I just can't because it  
14 was personally -- it was demoralizing what he  
15 said.

16 Q What he said at his deposition,  
17 you're saying?

18 A Yes. And so I can't. Please  
19 don't ask me.

20 MS. BILUS-GOULD: You can ask  
21 another question.

22 BY MR. KOERNER:

23 Q Do you recall Mr. Britt ever  
24 saying anything to you during that first  
25 incident where you had sexual contact with him?

1 D. Alderman

2 A No.

3 Q Do you recall your saying anything  
4 to him during that sexual contact incident?

5 A Nothing that wouldn't be said  
6 during personal moments.

7 Q For example, what was said? I'm  
8 asking what was said.

9 A I can't remember offhand. When  
10 you're romantic you say things.

11 Q For example?

12 A I don't know. Like, "Oh." I  
13 mean...

14 Q Do you recall Mr. Britt saying,  
15 "This is a bad idea"?

16 A Actually I don't recall that, no.

17 Q Do you recall him saying "This is  
18 a mistake"?

19 A No.

20 Q Did you resist at all?

21 A No.

22 Q Were you glad that you were having  
23 a sexual encounter with him?

24 MS. BILUS-GOULD: Objection to  
25 form. You can answer.

1 D. Alderman

2 A Usually if you're engaging in that  
3 type of behavior it's consensual, so I would  
4 think at that time it was something that was  
5 pleasant for me to a degree.

6 Q Did Mr. Britt ever say anything to  
7 indicate that he wanted to have sex with you?

8 MS. BILUS-GOULD: Objection to  
9 form, but you can answer.

10 A I believe he was interested, yes.

11 Q So what did he say?

12 A I can't remember offhand.

13 MR. KOERNER: Off the record.

14 (Discussion is held off the  
15 record.)

16 BY MR. KOERNER:

17 Q That first sexual contact with  
18 him, was it a good experience for you?

19 MS. BILUS-GOULD: Objection to  
20 form. You can answer.

21 A It had its challenges.

22 Q What do you mean?

23 A It was uncomfortable in some ways.

24 Q How so?

25 A Just sometimes, you know, people

1 D. Alderman

2 are not -- let's see. How do I say this?

3 Sometimes the physiotomy is not -- it maybe  
4 doesn't work quite right.

5 Q Was Mr. Britt, did he have a hard  
6 time getting an erection?

7 A No.

8 Q So I'm trying to understand what  
9 you mean there was some challenges. What were  
10 the challenges?

11 A I think that peoples body types  
12 sometimes don't necessarily fit.

13 Q What do you mean?

14 A I just mean that the physiotomy  
15 (sic) of a person's body can sometimes be a  
16 challenge.

17 Q Was Mr. Britt's penis large?

18 A I mean that's basically what --  
19 what --

20 Q Is that what you're referring to?

21 A That's what I'm -- yeah.

22 MS. BILUS-GOULD: Would you like  
23 to take a break, Mr. Koerner?

24 MR. KOERNER: No.

25 MR. ETTINGER: I would. I would

1 D. Alderman

2 like to take a break.

3 BY MR. KOERNER:

4 Q Was that the first time you had  
5 ever seen Mr. Britt's penis?

6 MS. BILUS-GOULD: What was the  
7 question?

8 BY MR. KOERNER:

9 Q Is that the first time you had  
10 ever seen Mr. Britt's penis?

11 A I believe so.

12 Q And it was on the large side?

13 A Yes.

14 Q Was it the largest penis you had  
15 ever seen?

16 MS. BILUS-GOULD: Objection to  
17 form. Really, Greg, where are we going  
18 with this? Where are we going with  
19 this? Move on.

20 MR. KOERNER: This is a sexual  
21 harassment case. I'm asking --

22 MS. BILUS-GOULD: Where are we  
23 going with this?

24 MR. KOERNER: Off the record.

25 (Discussion is held off the



1 D. Alderman

2 record.)

3 MS. BILUS-GOULD: What was the  
4 question?

5 BY MR. KOERNER:

6 Q Was that the largest penis you had  
7 actually seen in person?

8 A No.

9 Q And do you remember who actually  
10 touched who first when you had that first  
11 sexual contact with him?

12 A No.

13 Q Did you take your clothes off?

14 A Probably, yes.

15 Q Did Mr. Britt take his clothes  
16 off?

17 A Yes.

18 Q And were you happy with his body?

19 MS. BILUS-GOULD: Objection to  
20 form. You can answer if you can answer.

21 A It was okay.

22 Q Were you happy with his sexual  
23 performance?

24 MS. BILUS-GOULD: Objection to  
25 form. You can answer.

1 D. Alderman

2 A It was uncomfortable.

3 Q Because he was too large?

4 A Yes.

5 Q How long approximately did this  
6 sexual episode last?

7 A I don't know.

8 Q Approximately?

9 A Maybe fifteen minutes. Maybe a  
10 half-hour. I wasn't keeping track.

11 Q And did it start with oral sex?

12 A That I couldn't -- I don't know.

13 Q Did oral sex happen and then  
14 sexual intercourse?

15 A I don't know.

16 Q And how did the sexual episode  
17 end?

18 A It was uncomfortable so we -- we  
19 stopped. It was uncomfortable for me.

20 Q And what did you do after you  
21 stopped having sex?

22 A We -- we went about our business.  
23 I don't know. I can't remember.

24 Q Did he stay in the apartment for  
25 sometime after you had sex?

1 D. Alderman

2 A I don't -- I don't -- I can't  
3 recall.

4 Q Did you tell him to leave?

5 A No. I think it was just a mutual,  
6 you know, we both have busy lives and we have  
7 things to do and...

8 Q Is it true that you at one point  
9 bought Ron a gym membership?

10 A Yes.

11 Q Where did you buy him the gym  
12 membership?

13 A At the YMCA.

14 Q And when did you buy him the gym  
15 membership?

16 A I guess early on. It might have  
17 been a gift for him.

18 Q Was it before or after you had sex  
19 with him?

20 A I think it might have been after.

21 Q Was it as a result of your desire  
22 to have him have a better body?

23 MS. BILUS-GOULD: Objection to  
24 form. You can answer.

25 A No. I'm a fitness person and I

1 D. Alderman

2 thought he wanted to get in shape, and not that  
3 I thought he was out of shape, but he said  
4 he -- as a gift I got him a gym membership.

5 Q Where was the gym membership to?

6 MS. BILUS-GOULD: Objection.

7 Asked and answered. Go ahead.

8 A The YMCA.

9 Q And it was an annual membership?

10 A It was for the year, yeah.

11 Q How much did it cost?

12 A I can't remember. I don't know.

13 MR. KOERNER: I ask for that to be  
14 provided.

15 MS. BILUS-GOULD: Same request,  
16 put it in writing.

17 BY MR. KOERNER:

18 Q After that first sexual contact  
19 you had with Mr. Britt, did you have sexual  
20 contact with him again after that?

21 A I believe so.

22 Q Approximately how long after the  
23 first time?

24 A I think it was -- it was somewhere  
25 maybe -- maybe in September or October. It had

1 D. Alderman

2 to be after my daughter went back to school.

3 Q Did you ever notify Ron that you  
4 would be arriving from LA?

5 MS. BILUS-GOULD: Objection to  
6 form. At what point in time?

7 BY MR. KOERNER:

8 Q After you had sex with him.

9 MS. BILUS-GOULD: After the first  
10 occasion?

11 MR. KOERNER: That's correct.

12 A Yeah. I believe when I came to  
13 New York in either September or October I  
14 called him and said that I was in town.

15 Q And what else did you say to him?

16 A That's it. I said, "I'm here. I  
17 would like to see you."

18 Q Did you want to see him in a  
19 romantic way?

20 A Yes.

21 Q And did you tell him he better get  
22 ready?

23 A No.

24 Q Where did you call him from?

25 A I believe I called him from the

1 D. Alderman

2 airport.

3 Q In California?

4 A I think so, yeah. No, no, no.

5 When I got off the plane.

6 Q And when you got off the plane did  
7 you go to the building where you were living?

8 A Yes.

9 Q And did you see Mr. Britt that  
10 day?

11 A Yes, he came over.

12 Q And this was approximately a month  
13 or two after the first sexual contact?

14 A Yeah, it was either September or  
15 October. September maybe.

16 Q You called him?

17 A Yeah, because I called him and I  
18 told him I just got off the plane.

19 Q Was it your intent when you called  
20 him to have sex with him?

21 A Yes.

22 Q And you initiated that?

23 A I called him and said, "I would  
24 like to see you."

25 Q And what did he say?

1 D. Alderman

2 A He said, "Okay."

3 Q And then what happened?

4 A Then he came over.

5 Q And then what happened?

6 A And then we had sex.

7 Q Who initiated it?

8 A It was, again, it happened.

9 Q But you are not testifying that  
10 Mr. Britt initiated it, correct?

11 MS. BILUS-GOULD: Objection. She  
12 said "it happened."

13 A I don't believe either one party  
14 forced the other party. It was -- it happened.

15 Q Do you agree that there is a  
16 difference between physical force and forcing  
17 for economic reasons?

18 MS. BILUS-GOULD: Objection to  
19 form. You can answer.

20 A Absolutely.

21 Q Did you understand when you  
22 initiated the second sexual contact that  
23 Mr. Britt was your employee, correct?

24 A Yes.

25 Q And you understood that his

1 D. Alderman

2 residence was also in your building, correct?

3 A No.

4 Q Where was his residence at the  
5 time?

6 A His residence was -- oh, I mean my  
7 residence was in another building. I was at  
8 415 East 9th Street and he was at 91.

9 Q Right. But I'm saying at the time  
10 that you initiated the second sexual episode  
11 you were aware that he was your employee and  
12 was living in a building you owned, correct?

13 A Yes.

14 Q And you were aware at that time  
15 that you had ultimate authority to decide  
16 whether or not Mr. Britt would continue working  
17 there and would be allowed to continue living  
18 there; is that correct?

19 MS. BILUS-GOULD: Objection to  
20 form. But you can answer.

21 A That never occurred to me,  
22 honestly.

23 Q As you sit here today, during the  
24 entire time that Mr. Britt worked as your  
25 superintendent of these two buildings and that



1 D. Alderman

2 you had sexual contact with him, during that  
3 entire time, sitting here today, would you  
4 agree that you had ultimate authority to hire  
5 or fire him and also to have him evicted from  
6 his apartment?

7 A Yes, because they are my buildings  
8 but that thought never came into my mind.

9 Q ^RULING^ Do you think it should  
10 have come into your mind?

11 MS. BILUS-GOULD: Objection to  
12 form. I'm directing you not to answer  
13 that.

14 MR. KOERNER: Mark that for a  
15 ruling.

16 BY MR. KOERNER:

17 Q Do you think it was a mistake to  
18 have sex with Mr. Britt?

19 MS. BILUS-GOULD: Objection to  
20 form. You can answer if you can.

21 A Today?

22 Q Sitting here today.

23 A Sitting here today I think it was  
24 a definite mistake.

25 Q Are you sorry that happened?

1 D. Alderman

2 MS. BILUS-GOULD: Objection to  
3 form.

4 A Yes, I'm very very sorry it  
5 happened.

6 Q So the second sexual episode which  
7 you initiated, can you describe for me if you  
8 recall anything that was said by either of you?

9 A Yes. I called him and he was very  
10 angry at me for not letting him know that I was  
11 coming. And I said, "Well, I always do that.  
12 I always show up unannounced. That's the only  
13 way I know that the work is getting done. So  
14 nobody really knows ever when I'm coming to  
15 town." Today that's how it is.

16 So and he was very angry. He  
17 said, "You should always let me know when  
18 you're coming to town."

19 And I was like, "But that's not  
20 going to happen, Ron."

21 Q Anything else that you can recall  
22 was said?

23 A That's all I can remember. And he  
24 was angry at me.

25 Q And can you describe what

1 D. Alderman

2 happened? He came into the apartment and you  
3 recall that he was angry. What else do you  
4 recall?

5 A That's it. I mean we -- we  
6 talked. He didn't say anything else past that.  
7 And then after he left.

8 Q But let's -- I know you don't  
9 recall anything else that was said.

10 Do you recall anything else that  
11 happened?

12 A No.

13 Q Do you recall whether or not you  
14 performed oral sex on that occasion?

15 A No, I actually don't.

16 Q You don't know?

17 A I don't remember.

18 Q Do you recall whether you had  
19 sexual intercourse on that occasion?

20 A We may have.

21 Q Do you recall whether or not  
22 Mr. Britt ever achieved orgasm?

23 A I don't remember.

24 Q Did you ever achieve orgasm?

25 A Don't think so.

1 D. Alderman

2 Q Either of the times?

3 A I don't think so.

4 Q And, again, the second episode you  
5 don't recall who touched who first; is that  
6 correct?

7 A No, it just happened.

8 Q And how long did this episode  
9 last?

10 A Not long.

11 Q Approximately how long; about  
12 fifteen minutes to a half-hour?

13 A Yeah.

14 Q And then he left shortly  
15 thereafter?

16 A He left and he said he would come  
17 back.

18 Q And did he come back?

19 A Yeah, after I called him a couple  
20 of times.

21 Q Where did he say he was going?

22 A He was going with his friends to  
23 have -- to meet with his friends at a bar and  
24 he would come back in a couple of hours,  
25 something like that. And then he didn't come

1 D. Alderman

2 back.

3 Q And then you called him?

4 A And I called him. I said, "Well,  
5 where are you?" I said, "You know, I'm not  
6 sleeping cause I'm waiting." So...

7 Q Did you leave messages for him?

8 A I can't remember. I know I called  
9 him at least a couple of times.

10 Q How many times?

11 A At least a couple.

12 Q Was it more than five times?

13 A No, I don't think so.

14 Q And you don't recall if you ever  
15 left any phone messages?

16 A I can't recall.

17 Q Did you leave any text messages?

18 A No.

19 Q Were you angry that he had left  
20 and then did not come back?

21 A Yeah, because he said he would be  
22 back in a couple of hours and it wasn't a  
23 couple of hours. It was longer than that. And  
24 I didn't feel cared for.

25 Q And did he eventually come back?

1 D. Alderman

2 A He did.

3 Q About how long afterwards?

4 A I think it was like maybe four or  
5 five -- 4 o'clock in the morning maybe. And it  
6 was very light and I just said, "This isn't a  
7 healthy situation." And neither of us were  
8 happy.

9 Q Did he say at that point that you  
10 don't own him?

11 A No.

12 Q Did he ever give you a whip?

13 A A whip?

14 Q A whip.

15 A A whip?

16 Q Yes.

17 A No.

18 Q Why did you have sex with Ron  
19 Britt?

20 MS. BILUS-GOULD: Objection to  
21 form. You can answer if you can answer.

22 A It was very innocent. I mean we  
23 saw each other whenever I was in New York. I  
24 saw him because he was either working on the  
25 buildings or a super and we just, you know,

1 D. Alderman

2 whenever I was in town he was there. At least  
3 I saw him once. And I was single and it just  
4 happened.

5 Q Did you find him attractive?

6 A Yes.

7 Q Did he ever tell you that he found  
8 you attractive?

9 A Yes.

10 Q What did he say?

11 A "Oh, that's a cute shirt." I  
12 don't know.

13 Q Anything else?

14 A "Oh, I like your jeans." I don't  
15 know.

16 Q So other than complimenting your  
17 clothing?

18 A Yeah. I mean that's all I can  
19 remember.

20 Q And then when he came back on  
21 that -- approximately 4 o'clock in the morning,  
22 the second sexual episode, can you describe  
23 what was said?

24 A Well, I think neither of us were  
25 happy because he really wanted to be out with

1 D. Alderman

2 his friends and I was disappointed because he  
3 didn't show up when he said. And it just  
4 wasn't comfortable for either of us anymore.  
5 So it was like, you know, it just didn't work.  
6 I wasn't happy. He wasn't happy. And you  
7 know, if you're unhappy, move on.

8 Q Did one of you communicate to the  
9 other first that you were unhappy?

10 A I believe it was me because I was  
11 the one that was saying, "Hey, you said you  
12 were going to be here. You said you were going  
13 to show up. You're going to be here at 2  
14 o'clock or 3 o'clock. You said you were coming  
15 in two hours. It's now four hours, and you  
16 know what? This is not healthy for me because  
17 I have responsibilities and I can't be waiting.  
18 You know, it's just not working."

19 And you know, he didn't really say  
20 anything. He just walked out.

21 Q You stated before that, you know,  
22 you're sorry that you had sex with Mr. Britt.  
23 Why are you sorry?

24 A Well, because this definitely --  
25 this issue why we're here today for sure.



1 D. Alderman

2 Q Because he sued you; is that why  
3 you're sorry?

4 A Yes.

5 Q You testified before that you have  
6 two daughters. Have both of yours daughters,  
7 have they met Mr. Britt?

8 A I know Madison definitely has. I  
9 couldn't really say for sure with Spencer. I  
10 think so. Maybe in the hall because she did  
11 live in the apartment so she must have.

12 Q Did either of your daughters know  
13 about your sexual relationship with Mr. Britt  
14 before the filing of this lawsuit?

15 MS. BILUS-GOULD: Objection to  
16 form. You can answer if you know.

17 A I didn't go into detail about it  
18 in all, no. They knew that -- I mean we did  
19 have a social outing with Madison when we went  
20 to Coney Island when she was around during the  
21 summer, and -- but, you know, we went out on a  
22 social outing to Coney Island and to the beach.  
23 And that's all there was.

24 We had no interaction on a  
25 personal level other than with Madison. And he

1 D. Alderman

2 had a boy that helps him that was with us also.

3 Q Is that Marcello?

4 A No, I don't think his name is  
5 Marcello. I don't know his name. Jake maybe.

6 Q Was that visit to Coney Island,  
7 was that before or after you had had sex with  
8 Mr. Britt?

9 A That was definitely after that  
10 first time.

11 Q But before the second time?

12 A Yes. Yeah. Because -- yeah.

13 Q So you saw Mr. Britt in between  
14 the first and the second sexual encounters,  
15 correct?

16 A Yes. But my daughter was around  
17 then because she was off for the summer and so  
18 there was no kind of -- so it was -- we didn't  
19 get together on any personal level.

20 Q How many times approximately did  
21 you see Mr. Britt between the first and second  
22 episodes?

23 MS. BILUS-GOULD: At all?

24 MR. KOERNER: Yes.

25 A I mean maybe in the hall or, you

1 D. Alderman

2 know, with the buildings. I was still at 415  
3 East 9th Street, so I mean maybe it was once a  
4 week, but dealing with the buildings.

5 Q In between the first and second  
6 episode did you ever give him direction as far  
7 as his employment?

8 A I don't think so because at that  
9 point we were -- it was new. He was a new  
10 super and there wasn't much I had to say to  
11 him. I mean I think I might have -- maybe we  
12 talked about the trash bins and fixing those,  
13 and maybe we talked if I saw graffiti possibly.  
14 But I don't remember seeing a lot of graffiti  
15 or the lights out in front of the building,  
16 things like that nature. But that didn't  
17 happen much. I wasn't aware of that in the  
18 beginning. There weren't many of those  
19 instances, honestly.

20 Q With respect to Spencer, is it  
21 true that she has played music with Mr. Britt  
22 in the basement; are you aware of that?

23 A See, I really don't know.

24 Q Or Madison?

25 A I really couldn't tell you.

1 D. Alderman

2 Q Would it surprise you if that was  
3 true?

4 MS. BILUS-GOULD: Objection to  
5 form.

6 A You know what, I really don't  
7 know. I have no opinion.

8 Q Would it be okay with you if they  
9 played music down in the basement?

10 MS. BILUS-GOULD: Objection to  
11 form.

12 A I have my own opinions about that.

13 Q And I'm asking what they are.

14 A And I don't approve of it, no.

15 Q Is it true that at one point you  
16 had Mr. Britt throw Spencer out of her  
17 apartment in the building?

18 A Yes.

19 Q Can you describe for me what  
20 happened there?

21 A Actually she decided to leave and  
22 that's what happened there.

23 Q Did you ask --

24 A I didn't actually throw her out.  
25 We had to change the lock because she took all

1 D. Alderman

2 the furniture.

3 Q Why did she take all the  
4 furniture?

5 A Because she was angry at me.

6 Q Why?

7 A Because I was her mother and she  
8 didn't like what I was telling her, what she  
9 needed to do with the apartment, and so she got  
10 angry.

11 Q What were you telling her that  
12 needed to do with the apartment?

13 A She needed to keep it clean.

14 Q It was just too dirty?

15 A Yeah.

16 Q And you felt you wanted to control  
17 that situation?

18 A Well, it was our apartment and she  
19 made a deal with me that that's what she would  
20 do.

21 Q That's the apartment that you're  
22 currently living in?

23 A Yes.

24 Q What did you ask Mr. Britt to do  
25 in connection with this?

1 D. Alderman

2 A I asked him to make sure that she  
3 took whatever she wanted and that he changed  
4 the locks after she was gone. She had like a  
5 weekend to take everything, whatever she  
6 wanted, she took it. And I said, "Then change  
7 the lock."

8 Q And was this incident where  
9 Mr. Britt assisted you in having your daughter  
10 moved out of the apartment, was this before or  
11 after you had sex with him?

12 A After.

13 Q Was it before the second episode  
14 where you had sex with him?

15 A It was after.

16 Q After both?

17 A Yes, because we were in the new  
18 apartment. We weren't at 415 anymore. We were  
19 at 91.

20 Q After that second episode which  
21 happened in October 2007 --

22 A I think it was September.

23 Q -- September 2007 --

24 A Because it wasn't really really  
25 cold yet.

1 D. Alderman

2 Q -- did you have any other sexual  
3 contact with Mr. Britt after that second  
4 incident?

5 A No.

6 Q Did you ever have any subsequent  
7 discussions with Mr. Britt about sex?

8 A No.

9 Q Did you ever have a conversation  
10 with him subsequent to that second sexual  
11 episode where you discussed not having sex?

12 A No.

13 Q Did Mr. Britt ever indicate to you  
14 after that second episode that he wanted to  
15 have sex with you?

16 A No.

17 Q Did he ever indicate to you prior  
18 to the second episode, but after the first  
19 episode, that he wanted to have sex with you?

20 A Wait a minute.

21 Q After the first episode, but prior  
22 to the second episode, did he ever indicate to  
23 you --

24 A After the first episode, but prior  
25 to the second episode?

1 D. Alderman

2 Q Did he ever indicate that he  
3 wanted to have sex?

4 A No. My daughter was there so it  
5 wasn't appropriate.

6 Q Prior to the first episode of  
7 sexual contact with you, did he ever indicate  
8 to you that he wanted to have sex with you?

9 A He was complimentary. He was  
10 outgoing. He was pleasant.

11 Q Did you ever communicate to him  
12 that you wanted to have sex with him?

13 MS. BILUS-GOULD: Objection. At  
14 what point in time?

15 MR. KOERNER: At any point.

16 MS. BILUS-GOULD: Objection. You  
17 can answer if you can answer.

18 A No.

19 Q It just happened?

20 A Yes.

21 Q With respect to Richard, who  
22 initiated sexual contact in that relationship?

23 MS. BILUS-GOULD: Objection to  
24 form. Asked and answered. You can  
25 answer it again.



1 D. Alderman

2 A It's -- that was mutual.

3 Q But I agree with you. I'm not  
4 asking whether it was mutual. I'm asking who  
5 initiated?

6 MS. BILUS-GOULD: Objection to  
7 form. Asked and answered. She said it  
8 was mutual. Answer it one more time --

9 MR. KOERNER: I don't think that  
10 answers the question.

11 MS. BILUS-GOULD -- and that's the  
12 last.

13 A I mean he kissed me. I kissed him  
14 back.

15 Q In that situation he initiated the  
16 contact?

17 A He kissed me. I kissed him back,  
18 yeah.

19 Q Do you recall with Mr. Britt if he  
20 kissed you first or if you kissed him first?

21 A I can't recall that.

22 Q How many sexual partners have you  
23 had in your life?

24 MS. BILUS-GOULD: You know what?  
25 I'm going to object and direct you not

1 D. Alderman

2 to answer.

3 MS. KOERNER: That's a totally  
4 proper question.

5 MS. BILUS-GOULD: That's totally  
6 improper. Move on.

7 BY MR. KOERNER:

8 Q How many sexual encounters have  
9 you had other than Mr. Britt where you can't  
10 recall who initiated it?

11 A I can't tell you that. I don't  
12 know.

13 Q You don't know?

14 A No.

15 Q That's happened to you before,  
16 though?

17 MS. BILUS-GOULD: Objection to  
18 form. What's happened to her before?

19 MR. KOERNER: Where there was a  
20 sexual episode and she doesn't know who  
21 initiated.

22 MS. BILUS-GOULD: Maybe she hasn't  
23 been asked before.

24 MR. KOERNER: I'm asking now.

25 MS. BILUS-GOULD: What's the

1 D. Alderman

2 question?

3 MR. KOERNER: Whether or not she  
4 can recall any other incident where she  
5 had sex with somebody but she can't  
6 recall who initiated it.

7 MS. BILUS-GOULD: I think she  
8 answered the question, but answer it  
9 again.

10 A No.

11 Q You have a dog, right?

12 A Yes.

13 Q Just one dog?

14 A Yes.

15 Q What kind of a dog?

16 A Miniature pincher chihuahua mix.

17 MR. KOERNER: Off the record.

18 (Discussion is held off the  
19 record.)

20 Q So your dog, how old is he?

21 A She is -- was born September 27,  
22 2005.

23 Q Does she bark?

24 A She can if somebody is making  
25 noise outside.

1 D. Alderman

2 Q Does she frequently bark?

3 A She can.

4 Q Does she ever bite?

5 A She can.

6 Q She does it pretty frequently?

7 MS. BILUS-GOULD: Objection to  
8 form.

9 A No.

10 Q How many time has she ever done  
11 it?

12 A I've known her to do it twice so  
13 I've been told anyway. I think I've actually  
14 only known once. I've only been told twice.

15 Q Has there ever been any litigation  
16 in relation to that dog?

17 A No.

18 Q Have you ever been a defendant in  
19 any other lawsuit?

20 A In regards to what?

21 Q In any capacity.

22 A You mean like my divorces?

23 Q Other than the two divorces you  
24 discussed?

25 A I think I was just with a

1 D. Alderman

2 deposition maybe.

3 Q Anything.

4 A I mean there is a lead lawsuit  
5 that I was in a deposition for just a few  
6 months back.

7 Q Related to the buildings in New  
8 York?

9 A Yes.

10 Q What's the lawsuit about other  
11 than just lead?

12 A It's a very very very unusual  
13 claim. That's all I can say.

14 Q And you're a U.S. citizen, of  
15 course, right?

16 A Yes.

17 MR. KOERNER: And no Social  
18 Security number, you're not allowing  
19 that?

20 MS. BILUS-GOULD: What's the  
21 relevance in anyway of a Social Security  
22 number? If the Judge directs it, I'll  
23 provide it.

24 BY MR. KOERNER:

25 Q Have you ever been arrested

1 D. Alderman

2 before?

3 A No.

4 Q Never been convicted of anything?

5 A No.

6 Q Never been to jail?

7 A No.

8 Q Have you ever entered into any  
9 agreement with anyone other than your lawyer  
10 regarding this lawsuit?

11 A No.

12 Q With respect to payment for your  
13 legal expenses for this lawsuit, who is paying  
14 your legal bills?

15 MS. BILUS-GOULD: Objection. I  
16 direct you not to answer.

17 BY MR. KOERNER:

18 Q Are any of your companies paying  
19 your legal bills in connection with this  
20 lawsuit?

21 MS. BILUS-GOULD: Go ahead.

22 A The Thermal Realty Associates I,  
23 LP.

24 Q They're paying a hundred percent  
25 of all your legal expenses?

1 D. Alderman

2 A Yes.

3 Q So you haven't had to go into  
4 pocket at all with respect to this lawsuit?

5 MS. BILUS-GOULD: Objection to  
6 form. It is her pocket. But go ahead,  
7 you can answer.

8 BY MR. KOERNER:

9 Q Personally?

10 A Yes, yes, yes. I've had to spend  
11 a substantial amount of money.

12 Q ^RULING^ how much?

13 MS. BILUS-GOULD: Objection. I  
14 direct you not to answer.

15 MR. KOERNER: Mark it for a  
16 ruling.

17 BY MR. KOERNER:

18 Q Is there a cap on the amount of  
19 legal fees you're going to pay in this case?

20 A No.

21 Q You stated that before when you  
22 were married to Dr. Skinner he filed for  
23 bankruptcy. Did you also file for bankruptcy  
24 at that point?

25 A No.

1 D. Alderman

2 Q Have you ever been a plaintiff in  
3 any litigation other than divorces?

4 A No.

5 Q Have you ever been a witness in  
6 any lawsuit?

7 A No, not that I can recall.

8 Q We talked about your education.  
9 Have you had any education or training with  
10 respect to building management?

11 A Only by what I've been doing for  
12 the last ten years. Whatever I've learned.

13 Q Just your hands-on experience?

14 A Whatever I've learned from  
15 management. I'm always asking questions.

16 Q Have you ever had any training or  
17 education with respect to employee/employer  
18 relation?

19 A No.

20 Q How many employees currently do  
21 you have?

22 MS. BILUS-GOULD: Objection to  
23 form in terms of "you."

24 What are you referring to?

25 BY MR. KOERNER:



1 D. Alderman

2 Q You personally and Thermal  
3 Realty.

4 MS. BILUS-GOULD: Let's take one  
5 at a time.

6 BY MR. KOERNER:

7 Q You personally?

8 A Well, I mean it's Thermal Realty  
9 I, LP. It trickles down to me, but it's  
10 Thermal Realty I, LP that has three employees.

11 Q And you personally don't have any  
12 employees?

13 A No.

14 Q And the three employees are Jay  
15 Yablonsky and who else?

16 MS. BILUS-GOULD: Objection.

17 MR. KOERNER: I'm sorry.

18 BY MR. KOERNER:

19 Q Who are the three employees?

20 A Amy Prince, William Byers and  
21 Margaret Kotulski.

22 Q And what do they do?

23 A Basically general maintenance,  
24 cleaning, painting, repairs.

25 Margaret Kotulski does clerical

1 D. Alderman

2 work.

3 Q And have you ever had any  
4 education or training with respect to sexual  
5 harassment?

6 A No.

7 Q Or Title 7?

8 A No.

9 Q Have any of your employees  
10 received such training?

11 A No.

12 Q Do you supervise the three that you  
13 mentioned before?

14 MS. BILUS-GOULD: Objection to  
15 form. You can answer.

16 A I think I kind of guide them.  
17 They basically -- I'll say maybe -- we kind of  
18 have a plan and then they just execute it.

19 Q When Mr. Britt was an employee of  
20 Thermal Realty, did you have supervisory  
21 authority over him?

22 MS. BILUS-GOULD: Objection to  
23 form. You can answer.

24 A I basically -- I didn't do the  
25 day-to-day, but when I came to town, which was

1 D. Alderman

2 you know -- we would get together with Jay.

3 And Jay --

4 Q Jay Yablonsky?

5 A Jay Yablonsky and Ron and myself,  
6 we would talk about the buildings and what was  
7 going on and what was getting done. And you  
8 know, if I came to town and I saw graffiti, I  
9 would send a picture to him and say, "Look,  
10 there's graffiti." If there's no lights in the  
11 front of the building, I would say, "There's no  
12 lights."

13 Q So is it safe to say that you had  
14 supervisory authority over both Jay Yablonsky  
15 and Ron Britt?

16 MS. BILUS-GOULD: Objection to  
17 form. You can answer if you can answer.

18 A Basically because -- basically the  
19 buildings are my responsibility. I ultimately  
20 do check to see that the tenants and the  
21 buildings are in a safe and secure environment.

22 But I had management, who  
23 basically was there day-to-day because I  
24 couldn't be. I was raising my children and I  
25 had a dancing school in Los Angeles, so I tried

1 D. Alderman

2 to come in every three to four months, but it  
3 would only be for maybe six days because that's  
4 when my daughter was with her father. And so I  
5 depended very much on management to do the  
6 day-to-day operations. I looked to Jay for,  
7 you know, to make sure the buildings were safe.

8 MR. KOERNER: I'll move to strike  
9 the nonresponsive portion of the answer.

10 BY MR. KOERNER:

11 Q My question to you is: At the  
12 time that Mr. Britt was working for Thermal  
13 Realty, didn't you understand that you had  
14 supervisory authority over him?

15 MS. BILUS-GOULD: Objection to  
16 form.

17 A I ultimately have responsibility  
18 for the buildings so yes.

19 Q Was it your understanding that  
20 Mr. Britt also understood that you had  
21 supervisory authority?

22 MS. BILUS-GOULD: Objection to  
23 form. I believe that wasn't his  
24 testimony.

25 But objection to form. You can

1 D. Alderman

2 answer.

3 A He knew that I owned the buildings  
4 too, so yes, in essence.

5 Q In your supervisory position were  
6 you responsible for making sure that the law  
7 was complied with with respect to the building  
8 management?

9 MS. BILUS-GOULD: Objection to  
10 form.

11 A I rely completely on management to  
12 take care of all the legal and technical  
13 aspects of the buildings because that's what I  
14 hired them for. I wanted somebody to help me  
15 because it was overwhelming. It was an  
16 overwhelming job.

17 Q With respect to the hiring of Mr.  
18 Britt, can you recall when that took place?

19 A I believe it was in 2007. I think  
20 that's what I saw in the complaint. It was in  
21 January 2007.

22 Q Did you offer him a job as a  
23 superintendent?

24 MS. BILUS-GOULD: Objection to  
25 form. You can answer.

1 D. Alderman

2 A I believe what happened was Jay  
3 met him on the street and he wanted the storage  
4 cellar. And after that I met him. He did some  
5 work in the other buildings. And then we saw  
6 what kind of work he did. And Jay and I  
7 discussed it. And I believe we decided to ask  
8 him if he wanted to be the super/janitor.

9 Q Did you ask him or did Jay ask  
10 him?

11 A I think it was Jay.

12 Q Whose idea was it; your idea or  
13 Jay's idea?

14 A I think it was my idea. I said,  
15 "Why don't we give him a chance. I mean it  
16 looks like he can do some painting. Maybe if  
17 we have him in the building, the tenants will  
18 be taken care of and I'm not here all the  
19 time."

20 Q The superintendent at the time  
21 when you hired him was this guy named Brendan,  
22 correct?

23 A Yes.

24 Q What's his last name?

25 A Brendan Burke.

1 D. Alderman

2 Q Was he living in the building?

3 A Yes, he was in that apartment.

4 Q Why did he leave as  
5 superintendent?

6 A He left because he was unhappy  
7 because I cut his pay in half because he wasn't  
8 doing his job.

9 Q Did you have any romantic  
10 involvement with Brendan?

11 A No.

12 Q And you weren't happy with his  
13 work?

14 A No. It started to slip.

15 Q Did you communicate that to  
16 Brendan?

17 A Yes.

18 Q In writing?

19 A No. It was all verbally with Jay.  
20 It might have even been Jay. I don't know if I  
21 said it. It may be it was Jay.

22 Q Was he terminated eventually?

23 A He left.

24 Q So it was your idea to hire  
25 Mr. Britt, correct?

1 D. Alderman

2 A I -- well, I always would talk to  
3 Jay. It was me that said, "You know, what  
4 about Ron? Why don't we give him a shot?"

5 Q And how did you first meet  
6 Mr. Britt?

7 A It was after he had the lease with  
8 the cellar. I think he was in the cellar and  
9 he said he was a handy guy in New York City.  
10 And I was, "Oh, wow, that's what I need for  
11 these buildings."

12 And so he did a couple of hallways  
13 at the 9th Street buildings. And he did an  
14 okay job. He painted them and did the lighting  
15 and the tiles.

16 Q Can you recall the first time you  
17 ever met Mr. Britt?

18 A No. I think it was maybe outside  
19 in front of the building possibly. I don't  
20 know. I can't recall really.

21 Q And how long did you know him  
22 before you had the idea to hire him as a  
23 superintendent?

24 A I think it was -- if he had got  
25 the lease, the lease I believe was in 2005 or



1 D. Alderman

2 '4. It was a few years after. A couple of  
3 years at least after that. And then he became  
4 super in January 2007. So whenever he signed  
5 that lease is somewhere after that I had met  
6 him.

7 Q And you understood at the time  
8 when you met him that he was renting a space in  
9 the basement, correct?

10 A Yes.

11 Q And you understood at that time  
12 that he was using it as a shop for a handyman,  
13 correct?

14 A He was storing tools. It was  
15 supposed to be storage. I was told he had all  
16 these tools. He had to get out from where he  
17 was and he had all these tools he needed to  
18 store. And that was all I was told.

19 Q You were aware he was doing work  
20 down there, correct?

21 A I saw things but, again, it was  
22 dealing with tools. It was...

23 Q What do you mean "saw things"?

24 A I saw him maybe carrying wood or  
25 putting it down there. I mean I can't remember

1 D. Alderman

2 offhand.

3 Q You did know he was doing work  
4 there at any time before 2011?

5 A I remember Jay complaining about  
6 him having people working down there. That  
7 he -- that he was very upset about it.

8 Q Who, Jay was?

9 A Yeah, Jay was upset with that. I  
10 don't remember offhand him doing anything  
11 except when I moved into the apartment, he  
12 started doing a lot of sawing in the backyard  
13 outside.

14 Q And this was before you hired him  
15 as a superintendent?

16 A No, no. I'm sorry.

17 MS. BILUS-GOULD: Objection to  
18 form.

19 A Sorry. That's way after.

20 Q With respect to Jay being upset  
21 that there was work being done in the --

22 A Yeah, something about --

23 Q My question is: When did that  
24 happen?

25 A That was during the process of him

1 D. Alderman

2 being super. There was something -- he was  
3 very upset about him having people work and not  
4 being paid properly and that they weren't  
5 employees. And he was like, "The insurance  
6 can't cover this." And he was really really  
7 upset with Ron. What if something happens to  
8 him while he's working, you know.

9 Q You directed Jay Yablonsky to  
10 offer the superintendent job to Mr. Britt; is  
11 that correct?

12 MS. BILUS-GOULD: Objection to  
13 form.

14 A We discussed it and then agreed.

15 Q And did you have any conversations  
16 with Mr. Britt directly about the job?

17 A No, it was all through Jay.

18 Q And then you heard it through Jay  
19 that he had been hired?

20 A Yeah. Basically Jay showed me  
21 the -- the super agreement. And we discussed  
22 it. And Ron said he didn't want to do the  
23 cleaning. So then it went back. We said,  
24 "Well, what about can you paint the apartments  
25 when we turn them over." So he agreed to do

1 D. Alderman

2 that. So that's basically it.

3 And then it was off to Jay, and  
4 Jay submitted the four pages and I never saw  
5 anything after that.

6 Q Prior to the first sexual episode  
7 that you testified to today and it's your  
8 testimony that there were only two sexual  
9 episodes?

10 A That's what I recall. I'm not  
11 even sure if there was a second one, honestly.

12 Q With respect to or prior to the  
13 first sexual episode with Mr. Britt, did there  
14 come a time where Mr. Britt traveled with you  
15 to your home in Pennsylvania?

16 A That was before.

17 Q I'm saying it was before the  
18 sexual episode?

19 A Yes, yes.

20 Q How much sooner before?

21 A That was like sometime -- it had  
22 to be during one of -- maybe it was in the  
23 early part of the summer. That's all I can  
24 think of.

25 Q So it was a month or two before

1 D. Alderman

2 you actually had sex with him?

3 A Maybe it was in June sometime  
4 because it was definitely warm because we went  
5 fishing and my feet were in the lake 'cause it  
6 was hot but I didn't bring a bathing suit.

7 Q So it was approximately two months  
8 before you had sex with him that you went to  
9 Pennsylvania; is that about right?

10 A Could be. Or a month or something  
11 like that.

12 Q Did you invite him to go to  
13 Pennsylvania?

14 A I don't think so. I think he  
15 basically -- no, maybe I did. Because I was  
16 having problems with a contractor and I said,  
17 "Do you want to come out?"

18 He said, "yeah."

19 Somehow it was -- I think it was a  
20 decision we decided together because he liked  
21 to fish. I said, "Oh, we got two lakes in  
22 Pennsylvania."

23 So it was very friendly. And I  
24 had a contractor who was doing work. And I  
25 wanted him to look at the work and give me his

1 D. Alderman

2 opinion on it. So that was it.

3 Q And you asked him to try to help  
4 you deal with this contractor that you were  
5 having problems?

6 A I said, "Look at the work and tell  
7 me if you can see anything that he's doing  
8 wrong." Because I'm not, you know, I was  
9 looking to him for his professional experience,  
10 you know, if he could see anything. And he did  
11 point out some things with the work that he did  
12 so...

13 Q And how did you travel to  
14 Pennsylvania?

15 A I think he had some type of a van  
16 or something or a truck.

17 Q You drove in his vehicle?

18 A I think so, yes.

19 Q How far of a drive was it?

20 A Well, it's -- if you just go  
21 straight from New York to PA it's about three  
22 hours but we stopped at my mom's house.

23 Q Why did you stop at your mom's  
24 house?

25 A Because she likes to feed us.

1 D. Alderman

2 Q And when you went to Pennsylvania  
3 was it your intent to spend the night there?

4 A Oh, yes. We were going to spend  
5 the night for sure because there was the  
6 Farmer's Market. There was the Pennsylvania.  
7 There was the fishing. You know, it's just  
8 like it's a great place.

9 Q You were planning on staying just  
10 one night?

11 A I think we spent more than one  
12 night. I think it was two because we went --  
13 there's no way we could have done the Farmer's  
14 Market and gone fishing and done cooking. I  
15 just don't see how we could have done it all in  
16 one day. I think we were there for two.

17 Q And when you went out there, prior  
18 to going out there, did you ever discuss what  
19 your sleeping arrangements would be?

20 A I just -- I said, "Look, there's  
21 four bedrooms. You can have my mom's. My mom  
22 has the nicest room." It was, "You could have  
23 my mom's room and I will be in my room."

24 Q And did you sleep in separate  
25 rooms on that trip?

1 D. Alderman

2 A Yes.

3 Q You think it was for two nights?

4 A Yes.

5 Q And do you recall what you wore to  
6 sleep in?

7 A Yeah, I think it was like a  
8 T-shirt and shorts.

9 Q Did you ever visit Mr. Britt in  
10 the room that he was sleeping in after he had  
11 gone to bed?

12 A No.

13 Q And was there any romantic  
14 activity during those two nights?

15 A No.

16 Q Were you romantically interested  
17 in Mr. Britt at the time you went out to  
18 Pennsylvania?

19 A Not really.

20 Q What's the really part?

21 A I mean he was very nice. We had a  
22 lot of fun fishing. We had a lot of fun going  
23 to the Farmer's Market. We cooked the fish --  
24 no, we didn't. I know I did a lot of cooking.  
25 I don't know. It was just pleasant.



1 D. Alderman

2 Q Did Mr. Britt ever attempt to  
3 initiate any sexual contact during that  
4 weekend?

5 A No.

6 Q Did you?

7 A No.

8 Q Going back to the first sexual  
9 episode you had with Mr. Britt, before  
10 Mr. Britt came and visited you on that night,  
11 had you entertained the notion of him as a  
12 romantic interest?

13 MS. BILUS-GOULD: Objection to  
14 form.

15 A I don't think it was at night. It  
16 was more during the day.

17 Q Okay. Before that, whenever?

18 A Yeah, I think it was a very  
19 pleasant situation. You know, we'd gone out a  
20 few times. We had gone to Pennsylvania.  
21 Everything was very pleasant. And we went  
22 Salsa dancing. And I don't know.

23 Q The two of you went Salsa dance?

24 A Yeah, we went to Lincoln Center  
25 Salsa dancing. That was --

1 D. Alderman

2 Q That wasn't the same weekend of  
3 Pennsylvania?

4 A No. That was another time, but it  
5 had to be the summer.

6 Q My question is: To cut to the  
7 chase, that first time that you had sexual  
8 contact with Mr. Britt, before the moment when  
9 it just happened, had you ever entertained the  
10 notion of having sexual contact with Mr. Britt?

11 A Yeah, it seemed like a very  
12 romantic situation.

13 Q So I'm trying to say, when was the  
14 first time that you had the idea that you were  
15 interested in Mr. Britt sexually?

16 A I couldn't tell you.

17 Q I'm asking you to please --

18 MS. BILUS-GOULD: She said she  
19 can't give you --

20 MR. KOERNER: I know.

21 Q But I'm not expecting you to name  
22 the date, but we've talked about the  
23 Pennsylvania visit. At what point in the  
24 continuum, if you know, did you have sexual  
25 interest in Mr. Britt?

1 D. Alderman

2 A I don't know.

3 Q When you were out there in  
4 Pennsylvania did Mr. Britt paint the bathroom  
5 for you?

6 A Yes.

7 Q Was he paid for that?

8 A No.

9 Q Did he put up lights in the house  
10 in Pennsylvania?

11 A Yes.

12 Q Was he paid for that?

13 A No.

14 Q Did he clean out the basement?

15 A Yes.

16 Q Did you pay him for that?

17 A No.

18 Q Did he consult regarding the  
19 contractor that you were having problems with?

20 A He basically -- he basically  
21 looked at the work and gave me some pointers of  
22 what he hadn't done right with like the  
23 woodwork and that was it. I paid the guy. He  
24 never worked for me again.

25 Q And did you ask him to do these

1 D. Alderman

2 jobs?

3 A No.

4 Q It was his idea to do the work?

5 A Yes. He was very kind. I mean  
6 that was what was appealing.

7 (Phone rings.)

8 MR. KOERNER: Off the record.

9 (Discussion is held off the  
10 record.)

11 BY MR. KOERNER:

12 Q Other than that incident in  
13 Pennsylvania where he did work that he was not  
14 compensated for, was there other instances  
15 while he was in your employ that he was not  
16 compensated for?

17 MS. BILUS-GOULD: Objection to  
18 form. You can answer.

19 A Not that I'm aware of.

20 Q When you hired Mr. Britt, can you  
21 describe for us what his job responsibilities  
22 were?

23 MS. BILUS-GOULD: Objection to  
24 form. You can answer.

25 A I can only -- I don't have the

1 D. Alderman

2 four pages in front of me, but it was basically  
3 it was the care of the buildings and instead,  
4 in lieu of not cleaning, he was to paint the  
5 turnover apartments and basically he was to get  
6 a salary. He was to get an apartment. He was  
7 to get utilities. He was to get a phone  
8 compensation, payment for reimbursement. And  
9 that's all I can -- I mean I'm just giving you  
10 the general.

11 Q Did you have an understanding he  
12 was not going to be doing the cleaning?

13 A Yeah, he made that clear. He  
14 didn't want to do that, so he brought Zheng,  
15 Z-H-E-N-G, in as the porter.

16 Q And with respect to his  
17 responsibilities as a superintendent, did he do  
18 a good job?

19 MS. BILUS-GOULD: Objection to  
20 form. You can answer.

21 A I found it to be inconsistent. I  
22 mean there were things that he did okay and  
23 then sometimes -- and sometimes he just would  
24 do things that were just odd, you know, and  
25 problematic. So I found it difficult at times.

1 D. Alderman

2 Q Did you have any of these  
3 difficulties before you had sexual relations  
4 with him?

5 A It was too soon. He just became a  
6 super so he was definitely trying his best.

7 Q Did you ever give him a  
8 performance evaluation?

9 A No, no. We would always talk. I  
10 would always -- we were always direct. I was  
11 with Jay most of the time.

12 Q With respect to any problems that  
13 you had with Mr. Britt, did you ever  
14 communicate to him in writing with respect to  
15 any of these problems?

16 A There were issues with some of his  
17 behavior that -- with the loud music, with the  
18 dog, with the broker. Those are the only  
19 things I can remember offhand where I  
20 communicated to him.

21 Q Was there ever any written  
22 communication or was it oral?

23 A No. That was like with e-mails,  
24 those communications. But there were some that  
25 were more oral.

1 D. Alderman

2 Q And you produced any e-mails  
3 regarding any complaints with Mr. Britt?

4 A I believe I did. Those were given  
5 to my attorney.

6 MS. BILUS-GOULD: Which we  
7 exchanged, whatever we had.

8 BY MR. KOERNER:

9 Q Did you ever get any negative  
10 complaints about Mr. Britt's work from the  
11 tenants there?

12 A I didn't have firsthand knowledge  
13 of what was going on with the tenants because I  
14 really basically relied on management to take  
15 care of that during that time.

16 Q Were you aware that --

17 A If you want my opinion about what  
18 happened with my apartment as a tenant, I could  
19 tell you that.

20 Q Go ahead.

21 A There was a major leak the first  
22 year I was in my apartment coming from an  
23 apartment above me and then it caused severe  
24 damage to the floor. And that made me a little  
25 concerned because I was wondering why wasn't

1 D. Alderman

2 the leak taken care of. It was huge. It  
3 caused water damage.

4 Q And you viewed that --

5 A And then there was another leak.

6 Q You view these leaks as Mr.  
7 Britt's fault?

8 A Well, he's the super. He's  
9 supposed to make sure that when a leak happens  
10 that it gets -- that it gets repaired. And it  
11 was such a huge leak that to me I wondered why  
12 it was so bad, why wasn't it fixed.

13 And then there was another leak  
14 where I asked him to fix it and he never fixed  
15 it. It kept coming back. And it kept  
16 dripping. And it kept dripping. And so my  
17 apartment -- I was -- that made me concerned.  
18 I was like if the owner has an apartment that  
19 has leaks coming in two different areas and  
20 it's not getting repaired, then how is the  
21 other apartments doing.

22 Q Did you have to hire a third party  
23 to fix these leaks?

24 A Yes. And I did get them fixed  
25 finally, but I had to find somebody myself.



1 D. Alderman

2 Q Was that a plumber?

3 A It was actually Bill Byers finally  
4 fixed the leak above. The leak with Danny  
5 Chevez was huge, so there was a plumber that  
6 did it. But the one that kept reoccurring  
7 never got fixed. And Bill finally fixed it for  
8 me.

9 Q Who's Bill Byers?

10 A Bill Byers is the maintenance. He  
11 finally figured out what the problem was and  
12 fixed it. Now it's not there anymore.

13 Q He's an employee of Wavecrest?

14 A He's employed by Thermald Realty.  
15 He's one of my employees.

16 Q Right. And he personally fixed  
17 the problem?

18 A Yes.

19 Q Other than these leaks in the  
20 buildings, were there any other complaints that  
21 you're aware of regarding Mr. Britt?

22 A I can only say from what I could  
23 see. I didn't really talk to the tenants. Jay  
24 told me -- advised me not to, and I listened to  
25 him. He said, you know, "You're going to open

1 D. Alderman

2 up a big Pandora's box if you talk to the  
3 tenants."

4 I listened to him and I said,  
5 "Okay, I guess I shouldn't do that."

6 But I could tell that when I would  
7 do walk-bys that lights were out, graffiti. I  
8 mean it was -- anytime I showed up there was  
9 always something.

10 Q Is that continued to this day that  
11 there are always issues in the building?

12 A No. It's changed. It's really  
13 changed. There's people that actually really  
14 do walk-bys and actually there's no more  
15 graffiti. So that makes me happy.

16 Q Are you aware that there were  
17 certain tenants who valued Mr. Britt's services  
18 as a superintendent?

19 MS. BILUS-GOULD: Objection to  
20 form, but you can answer.

21 A I honestly really don't know  
22 firsthand because like I said, I was not  
23 involved. I'm not involved with the tenants.  
24 Since this lawsuit I've become much more  
25 involved with the tenants. But up until then I

1 D. Alderman

2 don't know what -- and I really don't go into  
3 it. All I want to do is move forward and take  
4 care of my tenants.

5 Q Well, let's talk about that.

6 You were at the deposition of the  
7 non-party witnesses which included the tenant.  
8 And she had a very positive, favorable view of  
9 Mr. Britt's services as a superintendent.

10 Do you agree with that?

11 MS. BILUS-GOULD: I'm going to  
12 object to form. That's your  
13 characterization.

14 MR. KOERNER: That's why I'm  
15 asking if she agrees with it.

16 BY MR. KOERNER:

17 Q Do you agree with that?

18 MS. BILUS-GOULD: I'm going to  
19 object to form, but you can answer it.

20 A You know, tenants -- I have a  
21 responsibility. I'm a landlord. These  
22 buildings are important to me. The people that  
23 live in them are important to me. Whatever  
24 opinions she had has no consequence. I have to  
25 take care of my tenants period.

1 D. Alderman

2 Q She is a tenant?

3 A Yes. And what she has -- whether  
4 he's a good person or not, or whether she likes  
5 him or whether she feels sorry for him --

6 Q Or whether he does a good job?

7 A -- or whether he --

8 MS. BILUS-GOULD: Please, do you  
9 have a question? She's answering your  
10 question.

11 A I don't know because I haven't  
12 seen her apartment. I couldn't be a firsthand  
13 witness. All I know is that my apartment, I  
14 felt concerned. And -- and it was -- and I had  
15 a job to do. I could see -- I just, you know,  
16 instincts told me things weren't being handled.  
17 And so I did the best I could.

18 Q Did you ask the tenants what their  
19 input was?

20 MS. BILUS-GOULD: Objection to  
21 form. At would point in time?

22 BY MR. KOERNER:

23 Q When you decided to fire  
24 Mr. Britt?

25 A I -- I basically -- like I said,

1 D. Alderman

2 before I was not involved in the tenants. It  
3 was management that took care of them.

4 Q Okay.

5 A All I can tell you was what I saw  
6 happening from the roofs to the basement.

7 MS. BILUS-GOULD: The question was  
8 whether you asked the tenants before you  
9 decided to fire him.

10 THE WITNESS: No.

11 BY MR. KOERNER:

12 Q And you don't feel that's  
13 relevant, the tenants' opinion of the super's  
14 quality of work?

15 A I think it has a place but then  
16 again, they don't -- they don't -- they don't  
17 have as much knowledge of what it takes to  
18 actually take care of a building and an  
19 environment that's safe like a person that's  
20 actually a building owner.

21 They have an apartment. When they  
22 have a problem, they call someone and it gets  
23 fixed. I mean I have had plenty of people  
24 after the fact tell me several things, but  
25 before that I had no clue. All I knew is what

1 D. Alderman

2 I was going on from what I could see.

3 Q You stated before, you said you  
4 have responsibilities with respect to these  
5 buildings. Responsibilities to who?

6 A To the tenants to make sure that  
7 they're in a safe environment.

8 Q And their view of whether or not  
9 they're in a --

10 A No, actually --

11 Q -- safe environment or not --

12 MS. BILUS-GOULD: Let him finish  
13 the question.

14 BY MR. KOERNER:

15 Q -- is that relevant?

16 A Yes.

17 MS. BILUS-GOULD: Objection to  
18 form.

19 A Yeah.

20 Q Why didn't you communicate, why  
21 didn't you ask them?

22 A Because Jay told me not to. Jay  
23 told me -- and I listened to Jay. Jay is a  
24 professional manager.

25 Q This has been previously marked as

1 D. Alderman

2 an exhibit. This is a letter that Jay wrote  
3 and signed and testified that it was his own  
4 language and it's a rave review of Mr. Britt.  
5 I can read it into the record if you'd like.

6 MS. BILUS-GOULD: Well, I think  
7 it's already --

8 MR. ETTINGER: It's written in the  
9 record.

10 MR. KOERNER: "She calls. She  
11 says he's extremely talented.  
12 Communication skills are excellent. He  
13 has shown her a willingness to learn and  
14 improve his skill set. Demonstrated a  
15 unique and creative problem solving  
16 ability. He always looked out for the  
17 tenants of the building and had their  
18 interests at heart. He has proven  
19 himself a loyal, hard working dedicated  
20 employee."

21 BY MR. KOERNER:

22 Q Is there anything in this that you  
23 disagree with?

24 MS. BILUS-GOULD: Objection to  
25 form. You could answer.